

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43818 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- Banjariya District- East Champaran

Rakesh Mukhiya Son of Lakshaman Mukhiya R/O Vill.- Chailaha, Bin Toli,
P.S.- Banjariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banjariya P.S. Case No. 80 of 2024 dated 08.05.2024 registered for the offences punishable u/s 272, 273 and 414 of the I.P.C. and Section 30(a) and 41 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 45 litres of illicit country made liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the owner of the said vehicle but the same was not being driven by him at the time of the alleged



recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Banjariya P.S. Case No. 80 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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