

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54081 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- Excise Benipatti District- Madhubani

1. Rakesh Mukhiya @ Rakesh Kumar Mukhiya Son Of Late Bhola Mukhiya Resident Of Village - Barhi, Ward No.12, Police Station - Harlakhi, District - Madhubani
2. Sunil Mukhiya Son Of Rajeshwar Mukhiya Resident Of Village - Barhi, Ward No.12, Police Station - Harlakhi, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 255 litres Nepali county made liquor has been recovered from bush situated near the temporary house of these petitioners.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from the conscious possession of these petitioners and they are not concerned with the alleged recovery of with the place of recovery. Petitioners



claim clean criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in connection with Benipatti Excise P. S. Case No. 101 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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