

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79406 of 2024

Arising Out of PS. Case No.-298 Year-2024 Thana- BAKHARI District- Begusarai

Rohit Mukhiya S/o- Bilo Mukhiya Village- Bahorchak, ward No. 8, P.S.-
Bakhri, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2024 Heard Mr. Manoj Kumar Singh, learned counsel for
the petitioner and Mr. Upendra Kumar, learned APP for the
State.

2. The petitioner is in judicial custody in connection
with Bakhri P.S. Case No. 298 of 2024 for the offence
punishable under Sections 30(a) & 30(d) of the Bihar
Prohibition and Excise Act lodged on 27.07.2024 by the
informant, Shrawan Kumar.

3. As per the prosecution story, the informant raided
the village and recovered/seized 110 liters of country made
liquor as also some manufacturing articles which resulted into
the FIR, the arrest.

4. Learned counsel for the petitioner submits that
nothing has been recovered from his conscious possession, has



no criminal antecedent and is in jail since 23.08.2024 (para-15 of the petition).

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also his period of custody, he do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Begusarai, in connection with Bakhri P.S. Case No. 298 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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