

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85144 of 2023

Arising Out of PS. Case No.-462 Year-2022 Thana- JAYNAGAR District- Madhubani

Roushan Mukhiya S/O LATE GUDRI MUKHIYA R/O Vill - Korahiya
P.s.Jaynagar Dist Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-01-2024 This is the second attempt of the petitioner for grant of regular bail as earlier the bail application of the petitioner has been rejected vide order dated 15.05.2023 passed in Cr. Misc. No. 23359 of 2023.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. This application has been filed on behalf of the petitioner for grant of regular bail in connection with Jayanagar P.S. Case No. 462 of 2022 registered for the offence under Section 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

4. As per the prosecution case, huge quantity of illicit liquor was recovered from the possession of the petitioner.

5. It has been submitted by the learned counsel for



the petitioner that petitioner is innocent and has falsely been implicated in this case and nothing has been recovered from his conscious possession and the recovery is from Kamla Bridge at Jayanagar.

6. Learned counsel for the petitioner further submits that other co-accused persons namely Upendra Yadav and Khanna Mukhiya have already been granted bail vide order dated 15.05.2023 passed in Cr. Misc. No. 29377 and the petitioner is in custody since 24.01.2023.

7. Learned APP for the State vehemently opposed the prayer of bail.

8. Considering the aforesaid facts and also considering the period of custody, this application for regular bail is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jayanagar P.S. Case No. 462 of 2022 corresponding to G.R. No. 2320 of 2022.

10. As a condition of this order, the petitioner, after being released on bail is directed to mark his attendance at



Jayanagar Police Station on first Sunday of each month. Any default in appearance at the police station will result in cancellation of the bail bond of the petitioner.

(Sandeep Kumar, J)

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