

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4808 of 2024**

Arising Out of PS. Case No.-237 Year-2023 Thana- BENIPATTI District-
Madhubani

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RAHUL MUKHIYA SON OF INDAR MUKHIYA @ INDAL MUKHIYA
RESIDENT OF VILLAGE- BENIPATTI, P.S.- BENIPATTI, DISTRICT-
MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 13-02-2024 1. Heard learned counsel for the petitioner and the learned
A.P.P. for the State.
2. The petitioner seeks bail in anticipation of his arrest in a
case registered for the offenses punishable under Sections 272, 273 of
the Indian Penal Code and 34 and Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.
3. The learned counsel appearing for the petitioner
submits that the petitioner has antecedent of two cases and the
allegation is of recovery of 887.400 liters of liquor from a pick up van.
4. The learned counsel for the petitioner next submits that
the petitioner was not arrested from the place of occurrence, as such,
nothing was recovered from his conscious possession nor he is owner
of the pick up van rather he came to be implicated at the instance of
local people but then the F.I.R. does not disclose the name of the local



people who disclosed the name of the petitioner. It is further submitted that it appears that the police in order to save the real culprit, falsely implicated the petitioner because of his antecedent.

5. The learned A.P.P. opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.- II -cum- Special Judge, Excise Act, Madhubani in connection with Benipatti P.S. Case No. 237 of 2023 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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