

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23268 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- JHANJHARPUR District- Madhubani

1. Raghu Mukhiya @ Raghu Kumar @ Raghav Kumar S/o- Parmeshwar Ray Village- Partapur, P.S.- Jhanjharpur, District- Madhubani
2. Sagar Kumar @ Sagar Mukhiya S/o- Parmeshwar Ray Village- Partapur, P.S.- Jhanjharpur, District- Madhubani
3. Raushan Kumar @ Raushan Mukhiya S/o- Bachche Lal Mukhiya Village- Partapur, P.S.- Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in connection with Jhanjharpur P.S. Case No. 176 of 2024, registered under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 702 liters liquor was recovered from bushes.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned



counsel for the petitioner also submits that the alleged recovery of liquor has been made from an open place and the same is easily accessible to public at large. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 13.02.2025 passed in Cr. Misc. No. 7035 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jhanjharpur P.S. Case No. 176 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

