

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88939 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- SHIVAJINAGAR District- Samastipur

Sri Raj Kumar Mukhiya S/o Ganour Mukhiya @ Raj Kumar Mukhiya R/o
Village- Ghivahi Ward No.13, P.S.- Shivajinagar, District- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate

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

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

ORAL ORDER

2 23-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Shivajinagar PS Case No. 53 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 36 litres
of country made liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that motorcycle in question belongs to the petitioner. The
petitioner is in custody since 04.11.2024 and has got one



criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shivajinagar PS Case No. 53 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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