

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87957 of 2024

Arising Out of PS. Case No.-310 Year-2024 Thana- Excise P.S. District- Madhubani

Basudev Kumar Mukhiya S/O Bideshwar Mukhiya R/o - Barahiya Tol, P.S -
Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sadar
(Excise) PS Case No. 310 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 405
litres of country made liquor was recovered from mango
orchard.

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 recovery is made from an open place, which is accessible to



one and all. The petitioner is in custody since 11.11.2024 and has got no criminal antecedent. 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, clean antecedent of the petitioner 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 Sadar (Excise) PS Case No. 310 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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