

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89253 of 2024**

Arising Out of PS. Case No.-365 Year-2024 Thana- GOVINDGANJ District- East
Champaran

Raj Banshi Mukhiya S/o Late Bhagwan Mukhiya R/o Village- Bindwaliya,
Ward No.9, P.S.- Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Govindganj P.S. Case No. 365 of 2024, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 7.5 liters
liquor was recovered from behind the house of the petitioner.

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. Learned counsel



for the petitioner further submits that the petitioner was not arrested on the spot and the alleged recovery has been made behind the house of the petitioner which is an open place and easily accessible to public at large. The petitioner is in custody since 03.11.2024 and has got one criminal antecedent in which he is on bail. 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Govindganj P.S. Case No. 365 of 2024.

(Rudra Prakash Mishra, J)

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