

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71347 of 2024**

Arising Out of PS. Case No.-1429 Year-2024 Thana- Excise P.S. District- East Champaran

Satyendra Mukhiya Son of Jaylal Mukhiya Resident of Village -  
Pachgachhiya, Ward No.02, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

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

**ORAL ORDER**

2      05-10-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Excise (Motihari) P.S.  
case No. 1429 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 60 liters liquor  
was recovered from a motorcycle and the petitioner was  
apprehended on spot.

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  
further submitted that the motorcycle in question does not  
belong to the petitioner. The petitioner is in custody since



08.08.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Motihari) P.S. case No. 1429 of 2024 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Pankaj/-

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