

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9824 of 2025

Arising Out of PS. Case No.-498 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Umesh Kumar S/O Bhuteli Mukhiya R/O Village- Hasuaha, P.S- Muffasil Motihari, District- East Champaran.
2. Awadhesh Kumar @ Awadhesh Mukia S/O Bhaurik Mukhia R/O Village- Hasuaha, P.S- Muffasil Motihari, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad
For the Opposite Party/s : Mr. Madhuri Lata

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Chiraiya PS Case No. 498 of 2024 instituted for the offences
under Sections 317(5) of B.N.S. and 30(a), 45 and 41(1) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 200
litres of country made liquor was recovered from two
motorcycles.

4. Learned counsel for the petitioners submit that the
petitioners are innocent and have 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. It is submitted that motorcycles in question do not belong to the petitioners. The petitioners are in custody since 10.12.2024 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 petitioners.

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

7. Let the petitioners 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 Chiraiya PS Case No. 498 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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