

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10872 of 2025

Arising Out of PS. Case No.-144 Year-2023 Thana- DARPA District- East Champaran

Jiyalal Mukhiya Son of Banarsi Mukhiya Resident of village - Tinkoni, P.S.-
Darpa, District - East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for an
offence punishable under Sections 272, 273 of the Indian Penal
Code and 30(a) of Bihar Prohibition and Amendment Act 2022.

3. As per allegation in the FIR, total 187.5 litres of
illegal Nepali Kasturi liquor was recovered from the bags.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in this
case. He further submits that similarly situated co-accused
persons have already granted bail by this Court in Cr. Misc.
Nos. 7979 of 2024 and 3498 of 2025, respectively. He further
submits that nothing has been recovered from the conscious



possession of the petitioner. Petitioner is in custody since 07.12.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the fact that similarly situated co-accused persons have already granted bail by this Court and nothing has been recovered from the conscious possession of the petitioner. Let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise-2, East Champaran at Motihari, East Champaran at Darpa, in connection with Darpa P.S. Case No.144 of 2023.

(Ramesh Chand Malviya, J)

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