

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7627 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- SANGRAMPUR District- East
Champaran

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Prem Mukhiya Son of Mohan Mukhiya Resident of Village - Koirgavan
Bintoli, P.S.- Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

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

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Sangrampur PS Case No. 266 of 2024 instituted for the
offences under Sections 317(5) of B.N.S. and 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 198
litres of country made liquor out of which 54 litres of
country made 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. It is submitted that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 12.11.2024 and has got fifteen criminal antecedents. 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 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, *after framing of charge if not already framed* 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 Sangrampur PS Case No. 266 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)

Raj Ranjan/-

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