

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10361 of 2025

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

Krishna Mukhiya S/O Yogendra Mukhiya Resident of village- Tinkoni, PS-
Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Adv

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

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

ORAL ORDER

2 14-02-2025 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Darpa P.S. Case No.144 of 2023 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, the present FIR has been lodged
against eleven named accused persons including the present
petitioner against whom there is an allegation or recovery of
total 187.5 litre of illicit liquor in sac which was being
transported by accused persons.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner and he has no concern with the alleged recovery of illicit liquor. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.7979 of 2024, Cr. Misc. No. 64515 of 2024 and Cr. Misc. No. 45246 of 2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 02.12.2024.

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

6. From perusal of the F.I.R. and the impugned order dated 04.01.2025, It appears that petitioner was not apprehended from the spot rather Guddu Singh and Praduman Kumar was arrested from the spot and the petitioner name has been figured by the confessional statement of the apprehended persons. Considering the facts and circumstances and the submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, in connection with Darpa P.S. Case No.144 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Excise Court No.2, East Champaran, Motihari.

(Ramesh Chand Malviya, J)

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