

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15935 of 2025

Arising Out of PS. Case No.-48 Year-2023 Thana- KUNAULI District- Supaul

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Arun Mukhiya Son of Sukhdev Mukhiya Resident of Village - Gadiya, P.S.-
Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. Excise No. 2162 of 2023 arising out of Kunauli P.S. Case No. 48 of 2023 dated 27.05.2023 for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1080 litres of illicit Nepali liquor was recovered from the boat near the bank of the Koshi river.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged



recovery rather the recovery has been made from an open place which is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted anticipatory bail by this court vide order dated 07.03.2024 passed in Cr. Misc. No. 14891 of 2024. The petitioner has four criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Kunauli P.S. Case No. 48 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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