

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17254 of 2025

Arising Out of PS. Case No.-2258 Year-2024 Thana- Excise P.S. District- East Champaran

1. Prabhu Mukhiya, Male, aged about 23 years, Son of Gopal Mukhiya, Resident of Bekhari Khajuri, P.S.- Dhaka, Distt.- East Champaran.
2. Sandil Kumar, Male, aged about 19 years, Son of Ramrekha Prasad Yadav @ Ramrekha Yadav @ Ram Rekh Ray @ Ram Rekh Yadav, Resident of Barhawa Fateh Mohammad, P.S.- Kundwa Chainpur, Distt.- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Perna Rishi, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Excise P.S. Case No. 2258 of 2024 dated 28.12.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 180 litres of Nepali country made liquor is said to have been recovered from three motorcycles. Out of which, 45 litres of Nepali country made liquor and 90 litres of Nepali country made liquor was recovered from the motorcycles of the petitioners respectively.

4. Learned counsel for the petitioners has submitted that



the petitioners are innocent and have falsely been implicated in the present case. No incriminating article has been recovered from their possession. They have no concern with the alleged offence. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioners are in custody in this case since 29.12.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court No. 2, East Champaran, Motihari or of such other court in seisin of the matter in connection with Excise P.S. Case No. 2258 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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