

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16755 of 2025

Arising Out of PS. Case No.-163 Year-2024 Thana- MALAHI District- East Champaran

Mahatam Mukhiya Son of Rajendra Mukhiya @ Rajendra Bin Resident of
Village - Chatiya Diar Bin Toli, Police Station - Malahi, District - East
Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

ORAL ORDER

2 03-04-2025 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 Malahi P.S. Case No.
163/2024 dated 21.12.2024 registered for the offences
punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 35 litres of illicit
country-made liquor was recovered behind the hut of the
petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. Nothing has been recovered from the conscious
possession of the petitioner. The recovery is made from an open



place which is accessible to anyone. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.12.2024.

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, East champaran, Motihari in connection with Malahi P.S. Case No. 163/2024 dated 21.12.2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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