

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23346 of 2025

Arising Out of PS. Case No.-699 Year-2023 Thana- LAKHAURA District- East Champaran

Birendra Mukhiya S/o Shankar Mukhiya R/o Vill.- Rampur, P.S.- Drpa,
District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

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

ORAL ORDER

2 22-04-2025 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 Muffasil Lakhaura P.S. Case No. 699/2023 dated 03.10.2023 registered for the offences punishable u/s 30(b)(c), 32 and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 400 litres of jaggery solution was recovered near the bank of Dudhaura river.

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 18 antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.01.2025.

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, East Champaran, Motihari in connection with Muffasil Lakhaura P.S. Case No. 699/2023 with the condition:-

(I). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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