

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26363 of 2025

Arising Out of PS. Case No.-94 Year-2018 Thana- SANGRAMPUR District- East
Champaran

=====

Prem Mukhiya @ Prem Chandra Mukhiya, Son of Mohan Mukhiya, R/O Vill-
Koorgawan, Bintoli @ Been Toli, P.S.- Sangrampur, Distt.- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate

For the Opposite Party : Mr. Arun Kumar Pandey, A.P.P.

=====

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

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sangrampur P.S. Case No. 94 of 2018 dated 25.05.2018
registered for the offences punishable under Sections 272, 273
of the I.P.C. and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. As per the prosecution case, total 455 litres of country
made liquor alongwith two gas cylinders, seven boxes of black
colour and six boxes of blue colour were recovered from the
village-Koergawan Charbar.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of disclosure made by local villagers, local Dafdar and Chaukidar. It is further submitted that the bushes from which the illegal liquor was recovered does not belong to the petitioner. There is no statutory compliance of Section 100 of the Cr.P.C. No incriminating article has been recovered from his possession. The petitioner has no concern with the alleged offence. The petitioner has been remanded in the present case from Sangrampur P.S. Case No. 150 of 2018 on 05.02.2025. The petitioner has fifteen (15) criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 05.02.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, 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 the learned Exclusive Special Excise Court No. -1, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 94 of 2018 with



further conditions:-

- 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 are liable to be cancelled.
- II. If the petitioner is found involved in similar nature offence in future, his bail bonds are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

