

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26556 of 2025

Arising Out of PS. Case No.-540 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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CHHOTAKA MIYA S/o Moti Miya R/o vill - Raisingha, P.S.- Muffasil, Distt.
- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Gulnar Begum

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**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 has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 540 of 2023 dated 28.07.2023 registered for the offences punishable u/ss 30(a), 32, 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of illicit country made liquor was recovered from the sack tied with the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the driver nor the owner of



the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.01.2025.

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 P.S. Case No. 540 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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