

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34341 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- SANGRAMPUR District- East
Champaran

Rahul Mukhiya S/o- Jaichandra Mukhiya @ Jai Chandra Mukhiya Village-
Sangrampur Bin Toli Ps- Sangrampur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sangrampur P.S. Case No.245 of 2024, lodged on 26.09.2024
under Sections 30(a), 32, 41(i) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. As per the prosecution case, a total recovery of 25
litres of country-made liquor and 500 litres of *mitha ghol* along
with articles used for the preparation of illicit liquor was made.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is
submitted that the alleged recovery was not made from the
possession of the petitioner but from near a river, which is a



public place and does not belong to the petitioner. The petitioner is in custody since 04.04.2025.

5. Learned counsel for the State opposes the prayer for bail and submits that, apart from the present case, a total of eight other criminal cases are pending against the petitioner, all of which are under the provisions of the Excise Act. It is further submitted that the petitioner's criminal antecedents indicate that he is a habitual offender involved in the manufacture of illicit liquor.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Sangrampur P.S. Case No.245 of 2024, pending before the learned Exclusive Special Excise Court No.1, Motihari, East Champaran is hereby rejected.

8. However, the petitioner shall be at liberty to renew his prayer for bail after three months from the date of framing of charge. In the event the petitioner moves for bail after the said period, he shall be required to produce relevant documents along with the bail application to demonstrate that he is not absconding in any of the cases mentioned in paragraph no. 3 of the petition, which are as follows:—



- (i) Govindganj P.S. Case No. 440 of 2024.
- (ii) Sangrampur P.S. Case No. 257 of 2022.
- (iii) Sangrampur P.S. Case No.133 of 2022.
- (iv) Sangrampur P.S. Case No.66 of 2022.
- (v) Sangrampur P.S. Case No.248 of 2022.
- (vi) Sangrampur P.S. Case No.347 of 2024.
- (vii) Sangrampur P.S. Case No.113 of 2022.
- (viii) Sangrampur P.S. Case No.357 of 2023

(Dr. Anshuman, J)

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