

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34087 of 2025

Arising Out of PS. Case No.-241 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Mukti Rai Son Of Late Jiyalal Rai Village- Mohaddipur, P.S. -Chiraiya,
District -East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Upon repeated call, no one appears on behalf of the
petitioner. However, Learned A.P.P. for the State is present.

2. The petitioner seeks regular bail in connection with
Motihari Excise P.S. Case No.241 of 2020 lodged on 26.06.2020
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2016.

3. As per the prosecution, the total recovery of 15
litres of *country made* liquor have been alleged to be made from
nearby pond and 3000 liters of semi prepared liquor was
destroyed at the place of occurrence, which is the subject matter
of the present case.

4. It transpires to this Court that the petitioner is in
custody since 08.04.2025 having three criminal antecedents.



5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner's antecedent is not clean. There are 3 criminal cases pending against him, which is of similar nature. He further submits that only 15 liters of illicit liquor have been recovered from the nearby pond and 3000 liters of liquid material have been destroyed and this aspect may be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **on being satisfied by the trial court that the petitioner is not absconding in any cases i.e., (i) Motihari Excise P.S. Case No.217 of 2020 (ii) Motihari Excise P.S. Case No.473 of 2020 (ii) Chiraiya P.S. Case No.393 of 2019, which are pending against him,** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No.02, East Champaran, Motihari in connection with Motihari Excise P.S. Case No.241 of 2020, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the following conditions:-

(i) one of the bailor should be the close relative of the



petitioner who shall provide official document to show his *bona fide*.

(ii) Another bailor shall be a person who sworn the affidavit on behalf of the petitioner before this Court, namely, Nand Kishor Kumar (cousin of the petitioner) S/o of Upendra Rai, Village-Mohmaddipur, P.S.- Chiraiya, District- East Champaran, Aadhar Card No.7082 1220 6009.

(Dr. Anshuman, J.)

Prakashmani/-

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