

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47743 of 2025**

Arising Out of PS. Case No.-257 Year-2025 Thana- Excise P.S. District- Sitamarhi

Subodh Mukhiya Son of Ekwat Mukhiya Resident of Village- Harichhapra  
Ward No.-12, P.S.- Dumra, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      24-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Sitamarhi Excise PS Case No. 257 of 2025 instituted for the  
offences under Sections 30(a) and 32(3) of the Bihar Prohibition  
and Excise Act.

3.      The prosecution case, in short, is that total 189  
litres of Nepali liquor was recovered from Car bearing  
Registration No. DL4CAP-3783.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. It is submitted



that petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 05.05.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sitamarhi Excise PS Case No. 257 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

