

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51658 of 2025

Arising Out of PS. Case No.-523 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Dilsher Kumar son of Mukhi Rai @ Mukhi Yadav Village -Tikuliya @
Turkauliya Ps- Muffasil District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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

ORAL ORDER

2 31-07-2025 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. 523 of 2023 dated 24.07.2023 registered for the offences punishable u/ss 414 of the IPC and Sections 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act and Sections 8/20(b)(ii) (c), 23, 25 and 29 of the NDPS Act.

3. As per the prosecution case, total 1.5 Kg of charas and 250 litres of illicit spirit were recovered from the Bolero vehicle which was being driven by the co-accused Sahin Mohammad. On being asked, Sahin Mohammad disclosed the name of the accused persons as Dilsher Kumar and Mukhi Rai, who fled away from there.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 17.12.2024. The co-accused person has already been granted regular bail by this Court vide order dated 30.04.2025 passed in Cr. Misc. No. 4285 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the seized contraband is more than commercial quantity.

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, Motihari, East Champaran in connection with Muffasil P.S. Case No. 523 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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