

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53958 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- BANJARIA District- East Champaran

1. Gagan Mukhiya S/O Late Prasad Mukhiya Resident of village- Khaira Ghat, P.S.- Banjariya, Dist.- East Champaran
2. Binda Mukhiya S/O Lorik Mukhiya Resident of village- Khaira Ghat, P.S.- Banjariya, 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 : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Banjariya PS Case No. 287 of 2025 instituted for the offences under Sections 274, 275 of B.N.S. and Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 45 litres of country made liquor was recovered from bank of river.

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



submitted that recovery is made from an open place, which is accessible to one and all. The petitioners are in custody since 26.05.2025 and have 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 petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banjariya PS Case No. 287 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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