

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55806 of 2025

Arising Out of PS. Case No.-192 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Shamsher Mukhiya S/o- Ramashrya Mukhiya Resident of Village- Hasuaha
PS- Muffasil Motihari, Dist- East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 192 of 2023 for the offences registered
under Sections 30(a) (c), 32, 41(1) of the Bihar Prohibition &
Excise Act.

3. As per the prosecution case, the informant/ A.S.I.,
Motihari Muffasil P.S. recovered total 4000 litre semi prepared
liquor (Pass) from the bank of Hasuaha River, kept under sand
and destroyed the same near the bank of the river. Petitioner is
alleged to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered either from the conscious possession of the petitioner or from his house. Petitioner has no concern with the seized article. Petitioner was not apprehended from the spot. Petitioner has two criminal antecedents in which he is on bail. He is in custody since 14.06.2025. Petitioner undertakes to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties and facts and circumstances of the case, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-01, Civil Court, East Champaran at Motihari in connection with Muffasil P.S. Case No. 192 of 2023.

(Sunil Dutta Mishra, J.)

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