

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55850 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- SANGRAMPUR District- East
Champaran

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1. Prem Mukhiya @ Prem Kumar, S/O Late Birbal Mukhiya, Resident of village- Sangrampur Bin Toli, P.S.- Sangrampur, Dist.- East Champaran.
 2. Sukhdeo Mukhiya, S/O Gorakh Mukhiya, Resident of village- Sangrampur Bin Toli, P.S.- Sangrampur, 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 : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioners seek regular bail in connection with Sangrampur P.S. Case No. 179 of 2024 for the offence registered under Sections 30 (a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 73.80 litres of foreign liquor has been recovered from a boat and accused persons including the petitioners fled away.

4. Learned counsel for the petitioner submits that petitioners are innocent and have falsely been implicated in this case. Petitioners are not the owner of the said boat and also no recovery have been made from the physical or conscious possession of the petitioners. There is no independent witness to



the seizure list. Petitioners have no concern with the seized liquor. Similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 04.08.2025 passed in Cr. Misc. No. 41582 of 2025. He further submits that there is no independent witness to the seizure list. Charge-sheet has already been submitted and there is no chance of absconding of the petitioners and tampering with the evidence. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has three criminal antecedents in which they are on bail. Petitioners are in custody since 25.05.2025. They undertake to co-operate in the trial.

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

6. Considering the submissions on behalf of the parties and the facts and circumstances of the case, let the petitioners, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in Sangrampur P.S. Case No. 179 of 2024.

(Sunil Dutta Mishra, J)

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