

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59103 of 2025**

Arising Out of PS. Case No.-406 Year-2024 Thana- BANJARIA District- East Champaran

Subhash Mukhiya S/O Mahesh Mukhiya Resident of Village- Chichurahiya,  
P.S.- Banjariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      11-09-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banjariya P.S. Case No. 406/2024 registered for the offences punishable under Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 60 litres of illicit country-made liquor was recovered from the bush near the river.

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 recovery is made from an open place which is accessible to anyone. The petitioner has no concern with the alleged recovery. Similarly situated co-accused



has already been granted regular bail by a coordinate Bench of this Court vide order dated 13.08.2025 passed in Cr. Misc. No. 55354 of 2025. The petitioner has four antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 02.06.2025. The petitioner undertakes to co-operate in the trial of the case.

5. Learned A.P.P. for the State has opposed the regular bail petition of the petitioner.

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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Banjariya P.S. Case No. 406/2024.

**(Sunil Dutta Mishra, J)**

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