

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58882 of 2025

Arising Out of PS. Case No.-1761 Year-2024 Thana- Excise P.S. District- East Champaran

Pawan Kumar @ Pawan Mukhiya S/O Vishundev Mukhiya@ Vishnudav
Mukhiya R/O Village- Bakhari Khjuri, P.S- Dhaka, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 30-08-2025 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 Excise P.S. Case No. 1761 of 2024 dated 17.10.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 189 litres of illicit Nepali country-made liquor was recovered from the sacks tied with motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The apprehended co-accused persons disclosed the name of the



petitioner. The petitioner is neither the owner nor the driver of the said vehicle. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody in this case since 19.06.2025. The co-accused person has already been granted anticipatory bail by this Court vide order dated 11.07.2025 passed in Cr. Misc. No. 30368 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the 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.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Excise P.S. Case No. 1761 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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