

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59268 of 2025

Arising Out of PS. Case No.-290 Year-2025 Thana- PIPRA District- East Champaran

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1. Chandan Mukhiya S/o- Mahendra Mukhiya Village- Kuarpur Bintoli PS- Pipra District- East Champaran, Motihari
 2. Dhuruv Mukhiya S/o- Dukhan Mukhiya Village- Kuarpur Bintoli PS- Pipra District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-09-2025 Learned counsel for the petitioners seeks permission to withdraw the bail application with respect to petitioner no. 1, namely, Chandan Mukhiya.

2. Permission, as prayed for, is granted.

3. Accordingly, the bail application with respect to petitioner no. 1 is dismissed as withdrawn.

4. Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

5. The petitioner no. 2 apprehends arrest in a case registered under Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act.



6. As per the prosecution case, 52 litres of illicit liquor was recovered from the bush situated in front of the house of the petitioner no. 1.

7. Learned counsel for the petitioner no. 2 submits that petitioner is innocent and has falsely been implicated in this case on the basis of suspicion and local village party politics. Further submission is that the illicit liquor has been recovered from an open place easily accessible to anyone. Petitioner was not present on the spot and there is no recovery of any incriminating material from the conscious possession of the petitioner. Petitioner has no concern with the seized illicit liquor and place of occurrence. Petitioner no. 2 has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner no. 2 be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the Court concerned in connection with Pipra P.S. Case No. 290
of 2025, subject to the conditions as laid down under Section
482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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