

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60074 of 2025**

Arising Out of PS. Case No.-148 Year-2025 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Sakaldeep Mukhiya S/O Yodha Mukhiya @ Jodha Mukhiya R/O Village-  
Hasuaha, P.S- Muffasil (Motihari), Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs.Alka Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      11-12-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Muffasil P.S. Case No. 148 of 2025, instituted for the offences  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act.

3. The prosecution case, in short, is that 32 liters of  
country made liquor was recovered from wheat field.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner further submitted that the recovery has been made from open place, which is accessible to public at large. The name of the petitioner has been disclosed by the local Chowkidar. The petitioner is in custody since 25.06.2025 and has got seven criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 148 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the  
bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

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