

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69282 of 2025

Arising Out of PS. Case No.-558 Year-2024 Thana- SURSAND District- Sitamarhi

Fulchand Mukhiya Son of Parikshan Mukhiya R/O Village- Parigama, Ward
No. 2, P.S.- Chourot, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 495 litres illicit liquor from the
sacks thrown by the accused persons in the field. The named
accused persons started fleeing away on seeing the police but on
chase, two persons were apprehended on the spot and three
accused persons including petitioner managed to flee away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on the basis of confessional statements of apprehended
accused persons. Petitioner was not arrested on the spot.
Nothing has been recovered from conscious possession of the



petitioner. Petitioner has no concern with the seized liquor. The alleged recovery has been made from the open field. Petitioner has four criminal antecedents of similar nature in which he is on bail. Petitioner is in jail since 17.03.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner be released 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, Sitamarhi in connection with Sursand P.S. Case No.558 of 2024 subject to the condition(s) that:

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the learned Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;



(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bond.

(Sunil Dutta Mishra, J)

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