

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64475 of 2025

Arising Out of PS. Case No.-504 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

SAKALDEEP MUKHIYA S/O YODHA MUKHIYA @ JODHA MUKHIYA
RESIDENT OF VILLAGE- HASUAHA, P.S.- MUFFASIL MOTIHARI,
DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 64731 of 2025

Arising Out of PS. Case No.-504 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Pratap Mukhiya S/o Kashi Mukhiya R/o Village - Hasuaha, P.S - Muffasil
(Motihari), District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 64475 of 2025)
For the Petitioner/s : Mrs. Alka Singh
For the Opposite Party/s : Mr. Ahmad Ali, APP
(In CRIMINAL MISCELLANEOUS No. 64731 of 2025)
For the Petitioner/s : Mrs. Alka Singh
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 23-09-2025 Both Cr. Misc. applications have arisen out of the

same occurrence and as such they have been heard together and

are being disposed of by passing this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.



3. The petitioners have preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 504 of 2024 registered for the offences punishable under Sections 317(5), 318(4), 336(3) of BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

4. As per the allegation made in the F.I.R., recovery of total 10 litres of country made liquor has been made from a motorcycle which does not carry number plate which is the subject matter of the present case.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Police has completely violated the provision mentioned under Section 105 of BNSS which clearly speaks about the search and seizure through Audio-Video electronics means. No any incriminating article has been recovered from their conscious possession. Both the petitioners are in custody since 02.06.2025.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. I, East Champaran in connection with Muffasil P.S. Case No. 504 of 2024 subject to the following conditions :-

(i). Petitioners will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be their family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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