

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66654 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- BANJARIA District- East Champaran

Subash Mukhiya S/O Mahesh Mukhiya R/O Village-Chichurahiya, P.S-
Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Mohammad Sufyan

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

ORAL ORDER

2 10-10-2025 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 Banjariya P.S. Case No. 268/2025 dated 12.05.2025 registered for the offences punishable u/s 30(a) and 41 of the Bihar Prohibition and Excise Act and Section 274 and 275 of the B.N.S.

3. As per the prosecution case, total 70 litres of illicit country-made liquor was recovered from the bank of Tilawe river and a motorcycle was also recovered from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the conscious possession of the petitioner. The recovery is made from an open place which is accessible to anyone. The petitioner has no concern with the alleged recovery. The other co-accused person has already been granted bail by this court vide order dated 15.07.2025 passed in Cr. Misc. No. 45269/2025. The petitioner has four antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 24.07.2025.

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, Motihari, East Champaran in connection with Banjariya P.S. Case No. 268/2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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