

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75945 of 2025

Arising Out of PS. Case No.-448 Year-2025 Thana- SUGAULI District- East Champaran

Shekh Mukul @ Adil Hussain S/O Shekh Bashir R/O Village- Lain Sugauli,
Ward No. 18, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhanshu Prakash, Advocate Mr. Chandra Kant, Advocate Ms. Karnika, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sugauli PS Case No. 448 of 2025 instituted for the offences under Section/s 37 of the Bihar Prohibition and Excise Act and Sections 333 & 331(3) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that petitioner entered campus of the informant and threatened to kill him and his wife in an inebriated condition.

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. Learned counsel for the petitioner submits that breath analyzer test was not conducted as per statutory provision of Excise Act. The petitioner is in custody since 21.08.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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 on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli PS Case No. 448 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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