

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77925 of 2025

Arising Out of PS. Case No.-142 Year-2023 Thana- JAYNAGAR District- Madhubani

Jitan Mukhiya @ Jitendra Mukhiya Son of Bhulla Mukhiya @ Ram Prasad Mukhiya Resident of Village - Korahiya, Police Station - Jay Nagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Jaynagar P.S. Case No. 142 of 2023, instituted for the offences punishable under Section 272, 273/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 450 liters of Nepali liquor was recovered from the bank of the river.

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 15.10.2025 has got one criminal antecedent. 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 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 Jaynagar P.S. Case No. 142 of 2023.

(Rudra Prakash Mishra, J)

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