

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77949 of 2025

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

1. Dinesh Mukhiya Son of Ram Ashish Mukhiya @ Ramashish Mukhiya Resident of Village - Korahiya, Police Station - Jay Nagar, District - Madhubani.
2. Ram Prasad Mukhiya Son of Moti 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.Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek 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 petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. Learned counsel for the petitioners further submitted that the recovery has been made from open place, which is accessible to public at large. The name of the petitioners have been disclosed by the local Chowkidar. The petitioners are in custody since 15.10.2025 has got one criminal antecedent, each. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each 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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