IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83611 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- KUSHESHWARASTHAN District- Darbhanga

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Sikretari Mukhiya @ Parashuram Mukhiya Son of Late Rohin Mukhiya Resident of Village- Aurahi, P.S.- Kushesharasthan, District- Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Mili Kumari, Adv
For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kusheshwarasthan P.S. Case No. 180 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 35 liters liquor was recovered from the house of the petitioner.

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 submits that the alleged recovery has been

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made from bamboo clumps situated near the house of the petitioner which is an open place and the same is easily accessible to the public at large. The petitioner is in custody since 11.11.2025 and has got four criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 12.08.2025 passed in Cr. Misc. No. 53973 of 2025. 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 Kusheshwarasthan P.S. Case No. 180 of 2025.

(Rudra Prakash Mishra, J)

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