

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83826 of 2025

Arising Out of PS. Case No.-428 Year-2025 Thana- JOGAPATTI District- West Champaran

Pradeep Mukhiya @ Pradip Mukhiya, S/O Sita Ram Mukhiya, R/O Village-
Padraun, P.S.- Jogapatti, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate.
For the State : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Jogapatti P.S. Case No. 428 of 2025 dated
23.10.2025 registered for the offence punishable under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per allegation, 85 litres of illicit country made
liquor and some utensils for manufacturing of illicit liquor was
recovered from Pokhara near Harha river. Further case of the
petitioner is that some liquor which was stored there by the
petitioner has been seen by local *chowkidar*. The petitioner is FIR
named accused.

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



case. He further submits that recovery has been made from a public place accessible to public at large. There is no direct evidence to show that the petitioner was the person who had stored that contraband and sells the same there. He also submits that no *prima facie* case is made out against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in another case of similar nature in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering that no *prima facie* case is made out against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Jogapatti P.S. Case No. 428 of 2025, subject to



the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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