

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3498 of 2025

Arising Out of PS. Case No.-144 Year-2023 Thana- DARPA District- East Champaran

Chandeshwar Mukhiya @ Chandeshwar Kumar S/O Raja Mukhiya @ Radha Mukhiya R/O Village- Tinkoni, P.S- Darpa ,District- East Chamaparan, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 14-02-2025

Heard learned counsel appearing on

behalf of the parties.

2. The petitioner seeks bail in connection with Darpa P.S. Case No.144 of 2023 registered for the offence under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 187.5 litre of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner and he has no concern with the alleged recovery



of illicit liquor. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.7979 of 2024, Cr. Misc. No. 45246 of 2024, Cr. Misc. No. 64515 of 2024 and Cr. Misc. No. 7979 of 2024. It is further submitted that petitioner is in custody since 27.08.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances, materials on record, co-accused have already granted bail by the Co-ordinate Bench of this Court and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, in connection with Darpa P.S. Case No.144 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, East Champaran, Motihari.

(Ramesh Chand Malviya, J)

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