

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11908 of 2026

Arising Out of PS. Case No.-929 Year-2025 Thana- MAJHAULIA District- West Champaran

Brijesh Kumar Mukhiya @ Brijesh Kumar Son of Satyanarayan Mukhiya @
Satynaarayan R/o Vill. - Dumari, P.S. - Majhauiliya, District - West Champarn.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Majhauiliya PS Case No. 929 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act
and Sections 317(5), 336(3), 338, 340(2), 318(4) & 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 20 liters
country made liquor was recovered from hut. It is also alleged
that three motorcycles were also recovered.

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. It is submitted that petitioner is not the owner of any of the motorcycles and he has no concern with the same. The petitioner is in custody since 20.12.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 17.02.2026, passed in Cr. Misc. No. 11350 of 2026.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhauriya PS Case No. 929 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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