

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26917 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- SAHARGHAT District- Madhubani

Raj Kishor Mukhiya S/o Ramprit Mukhiya Resident of Village - Beta Parsa,
P.S. Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been filed seeking regular bail in connection with Saharghat P.S. Case No. 39 of 2026, registered for offences punishable under Sections 274, 275 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 360 liters of illicit liquor have been recovered. The petitioner is in custody since 14.03.2026 and has one criminal antecedent namely Khirhar P.S. Case No. 93 of 2025.

4. Learned counsel for the petitioner submits that the petitioner undertakes to donate a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand only) to a charitable organization,



without prejudice to his defence and without admitting guilt.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, the period of custody, and the submissions advanced on behalf of the parties, the application for bail is allowed.

7. Accordingly, the petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor court in connection with Saharghat P.S. Case No. 39 of 2026, subject to the following conditions:

(I). The petitioner shall deposit a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand only) with Ramakrishna Mission Sevashrama, Swami Vivekananda Path, Bela, Muzaffarpur, Bihar , and shall produce a valid receipt thereof before the court below. The bail bonds shall be accepted only after verification of the genuineness of the said receipt.

(ii). The petitioner shall mark his attendance at Harlakhi Police Station on every 1st and 3rd Sunday of each month. In the event of default, the bail bonds shall be liable to be cancelled.



(iii). Before accepting the bail bonds of the petitioner, the court below shall verify the petitioner's criminal antecedents. If it is found that the petitioner has any criminal antecedents other than Khirhar P.S. Case No. 93 of 2025, the bail bonds shall not be accepted. However, if the petitioner is found to have only one criminal antecedent, namely Khirhar P.S. Case No. 93 of 2025, the bail bonds shall be accepted by the court below.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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