

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88493 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- DARPA District- East Champaran

Om Prakash Mukhiya S/O Chandra Mukhiya Resident of village- Rohiniya,
P.S.- Banjaria, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv.
		Mr. Hemant Ray, Adv.
For the Opposite Party/s	:	Mr. Gulnar Begum, APP

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

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Darpa PS Case No. 154 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case, in short, is that total 60 litres of liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of the disclosure made by the apprehended persons. Learned counsel further submitted that petitioner is neither the owner nor



the rider of the said motorcycle. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail 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 Darpa PS Case No. 154 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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