

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8147 of 2025

Arising Out of PS. Case No.-558 Year-2024 Thana- SURSAND District- Sitamarhi

=====

Arun Mukhiya @ Arun Kumar S/O Govind Mukhiya, R/O Village- Parigama,
P.O- Chak Chikna, Ward No.- 2, P.S- Choraut, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 495 litres of liquor from Nawal Mukhiya, Sikindra Mukhiya and Ramesh Mukhiya. It is next submitted that petitioner was not arrested from the spot, as such, nothing has been recovered from his conscious possession and the alleged recovery was also not made from him and he has no concern or relation with Nawal, Sikindra and Ramesh and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.



4. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred only) with two sureties of the like amount each to the satisfaction of the learned trial Court, where the case is pending / successor Court, in connection with **Sursand P.S. Case No. 558 of 2024**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. It is made clear that that thereafter, the learned trial Court shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

