

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9693 of 2025

Arising Out of PS. Case No.-277 Year-2024 Thana- PANDAUL District- Madhubani

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Ajit Mukhiya @ Ashok Mukhiya @ Ajeet Mukhiya Son of Kapleshwar
Mukhiya R/o Vill - Bargoriya, P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-03-2025 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends his arrest in connection with

Pandaul P.S. Case No. 277 of 2024 registered for the offences

punishable under Sections 30(a), 41 (1) of the Bihar Prohibition

& Excise Act.

3. On the basis of secret information, 34.56 liters of

foreign liquor has been recovered from the bushes in front of

the house of the petitioner.

4. Learned counsel for the petitioner submits that

petitioner has neither been arrested on the spot nor recovery has

been made from his conscious possession. It is further submitted

that recovery has been made from a government land, which is

accessible to all. It is further submitted that there is no



compliance of mandatory provisions of Section 103 of the BNSS Act.

5. The learned APP for the State points out that petitioner is an accused in one more case which is similar in nature

6. Considering the aforesaid facts and circumstances of the case, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge, Madhubani in Pandaul P.S. Case No. 277 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the learned court below shall verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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