

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24343 of 2025

Arising Out of PS. Case No.-144 Year-2023 Thana- DARPA District- East Champaran

Vikram Kumar @ Vikram Mukhiya S/o Harishchandra Mukhiya @ Harchan
Mukhiya R/o Village- Tinkoni, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-05-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Darpa Police Station Case No. 144 of 2023,
disclosing offences under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. As per the prosecution case, on 26.11.2023,
police received secret information about the petitioner and
others transporting liquor near Tinkoni village. Upon such
information, police party reached near the place of occurrence
and upon seeing the police party, accused persons started fleeing
away and succeeded in the same. Two persons were caught,
while the petitioner and others escaped. Police recovered 187.5



liters of illegal Nepali Kasturi liquor from seven jute bags left behind.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. The allegation levelled against the petitioner is general and omnibus in nature. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Petitioner was not apprehended from the spot. Similarly situated co-accused person namely Brijkishor Mukhiya has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 62309 of 2024. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and similarly situated co-accused person namely Brijkishor Mukhiya has been granted anticipatory bail by a Co-ordinate Bench of this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-02, East Champaran at Motihari, in connection with Darpa Police Station Case No. 144 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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