

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31567 of 2025

Arising Out of PS. Case No.-57 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Ram Govind Mukhiya S/o Late Raja Mukhiya R/o Village- Hasuaha, PS-
Muffasil, Motihari, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Alka Singh, Advocate.

For the Opposite Party/s : Ms. Meena Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

6 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Trial No.7019 of 2022 arising out of Excise P.S. Case No.57 of 2013 instituted under Section 47(a)(f) of Bihar Prohibition and Excise Act.

3. As per prosecution case, total 220 litre illicit country made liquor alongwith 1200 kg. fermented *ghol* were recovered from the possession of petitioner and he fled away from the place of occurrence on seeing the police team.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case at the instance of local *Chaukidar*. He further submits that the present case is of the year 2013 and petitioner had no knowledge about the said case but he has been declared absconder. Learned counsel submits that petitioner has no concern with the alleged



seized liquor. He further submits that petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail and submits that it appears from the impugned order dated 13.09.2023, the petitioner had already been declared absconder and permanent warrant had already been issued against him. He further submits that there is huge quantity recovered from the possession of petitioner, therefore, he does not deserve the privilege of anticipatory bail. He also submits that in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav vs. The State of Bihar** reported in **2019(2) P.L.J.R. 1089 (F.B.)** *prima facie* case is made out against the petitioner, therefore, the anticipatory bail is not maintainable.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as the fact that petitioner had already been declared absconder, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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