

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24815 of 2025

Arising Out of PS. Case No.-553 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Vikash Mukhiya @ Vikash Kumar S/O Nagina Mukhiya R/O Vill.- Hushuaha,
P.s.- Mufasil, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate
For the State	:	Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of 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. As per prosecution case, 20 litres illicit country
made liquor was recovered from bank of river Hasuaha
Sikrahana.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. No incriminating article has been
recovered from conscious possession of this petitioner and he
has falsely been implicated in this case merely on suspicion. The



alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner has got two criminal antecedents out of which one is of similar nature and in both the cases, he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Special Excise Court No.-1, Motihari, East Champaran in connection with Muffasil P.S. Case No. 553 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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