

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36591 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- RAMGARHWA District- East Champaran

Biga Mukhiya son of Kalyug Mukhiya Resident of Village-Bairiya, Police
Station-Ramgarhwa, District-East Chamapran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Ramgarhwa P.S. Case No. 2 of 2024 lodged on 06.01.2024, for the offence punishable under Sections 30(a), 33, 34(b)(iv), 36 & 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. Total recovery of 40 litres of country made liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the recovery of alleged liquor has been made from a public place and not from the petitioner's possession. Counsel



submits that name of the petitioner has come in this case only on the basis of suspicion and he has falsely been implicated in this case. Counsel submits that there is no independent witness to the seizure list and petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Exclusive Special Excise Court No.03, East Champaran at Motihari, in connection with Ramgarhwa P.S. Case No. 2 of 2024, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Divyansh/-

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