

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33409 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- Excise Raniganj District- Araria

Mahendra Mukhiya, S/o Late Bhandi Mukhiya, R/o village - Koskapar, Ward
No. 8, P.S.- Raniganj, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR
and apprehending his arrest in connection with Raniganj
Excise P.S. Case No.3 of 2025 registered under Section 30(a)
of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 2 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel for the
petitioner that the petitioner is a registered owner of Hero HF
Deluxe motorcycle bearing Registration No.BR-38U-1247 and
for said reason only, he was implicated with present case. It is



submitted that motorcycle was misused by son of petitioner namely, Budhan Mukhiya, which was not in the knowledge of petitioner and for the reason that he is the father and registered owner of the motorcycle, he was implicated with present case. It is submitted that admittedly the recovery of illicit liquor was not made from physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria in connection with Raniganj



Excise P.S. Case No.3 of 2025, subject to the conditions as
laid down under Section 438(2) of the CrPC/under Section
482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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