

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44271 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- SANGRAMPUR District- East
Champaran

-
1. Prabhu Mukhiya S/o Devan Mukhiya Resident of village- Koirgawan Bintoli, P.S.- Sangrampur, District- East Champaran
 2. Karandev Paswan S/o Chhathu Paswan Resident of village- Koirgawan Bintoli, P.S.- Sangrampur, District- East Champaran
 3. Bhola Paswan @ Mintu Kumar S/o Krishana Paswan Resident of village- Koirgawan Bintoli, P.S.- Sangrampur, District- East Champaran
 4. Veer Bahadur Mukhiya S/o Baldeo Mukhiya Resident of village- Koirgawan Bintoli, P.S.- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Ajay Kumar Singh, Advocate
For the State : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-07-2025 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing on behalf of the State.

2. After some arguments, learned counsel for the
petitioners seeks permission to withdraw the anticipatory bail
application on behalf of Petitioner No. 3, namely Bhola Paswan
@ Mintu Kumar.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application on
behalf of Petitioner No. 3 stands dismissed as withdrawn.

5. Petitioner Nos. 1, 2 and 4 apprehend their arrest in
a case registered for the offence punishable under Section 30(a)



of the Bihar Prohibition and Excise Act.

6. As per prosecution case, 100 litres illicit country made liquor was recovered from an open place.

7. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from conscious possession of these petitioners and they have falsely been implicated in this case merely on the basis of disclosure made by the local chawkidar. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner No. 1 has got no criminal antecedents and Petitioner Nos. 2 and 4 have got one criminal antecedent each of similar nature in which they are on bail.

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

9. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of these petitioners, the prayer for grant of anticipatory bail to Petitioner Nos. 1, 2 and 4 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 1, 2 and 4 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of learned Exclusive
Special Excise Court No. 01, East Champaran at Motihari in
connection with Sangrampur P.S. Case No. 345 of 2024, subject
to condition as laid down under Section 482(2) of the B.N.S.S..

11. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

