

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51497 of 2025

Arising Out of PS. Case No.-548 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

Munna Kumar Son of Jhagru Mukhiya @ Sheo Shankhar Mukhiya @ Shiv
Shankar Mukhiya R/O Vill- Harkona, P.S.- Muffasil, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2025 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 Sections 30(a), 32
and 41(1) of the Bihar Prohibition and Excise (Amendment)
Act.

3. As per prosecution case, 90 litres of country made
liquor was recovered from an open place.

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 claims clean antecedents.

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, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, 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 Judge, Excise Court No. 1, East Champaran, Motihari in connection with Muffasil P.S. Case No. 548 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

Neha/-

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

