

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5196 of 2026

Arising Out of PS. Case No.-13 Year-2025 Thana- SINDHIYA District- Samastipur

Vijendra Mukhiya @ Vijendra Mukhia Son of Jagdish Mukhiya Resident of
Village- Salepur, P.S.- Sindhiya, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 10 litres of liquor from the house of Ganesh and
Santosh and 5 litres of liquor from the house of Pawan Devi.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner
and petitioner has no concern or relation with Ganesh, Santosh



and Pawan and he came to be implicated at the instance of Chowkidar but then it is submitted that if the Chowkidar was aware about the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with celan antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sindhiya P.S. Case No. 13 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, for the purposes of



seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs. 1,500/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sumit/-

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