

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5204 of 2026

Arising Out of PS. Case No.-452 Year-2025 Thana- ALOULI District- Khagaria

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Balram Mukhiya Son of Late Munchun Mukhiya @ Mundhun Mukhiya
Resident of village - Phultaure, P.S.- Alauli, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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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 2 litres of liquor from the semi-constructed house of
the petitioner along with 20 litres of jawa mahua which was
destroyed at the spot.

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 the house in
question is under construction as such no members were staying



there and is accessible to villagers at large. It is next submitted that it appears that someone inimical to the petitioner planted meagre amount of liquor in order to implicate the petitioner and he came to be implicated at the instance of local people, but then the name of the person, who disclosed the name of the petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution.

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 Alauli P.S. Case No. 452 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 Patna High Court Legal Services Committee, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

Sumit/-

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