

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10191 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- NIRMALI District- Supaul

Abhishek Kumar S/O Indar Mukhiya @ Indeshwar Mukhiya Resident of
village- Lalmaniya, P.S.- Supaul Nadi Thana, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shatrughna Pandey, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 11-05-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nirmali P.S. Case No. 190 of 2025 instituted under Section
30 (a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
11.25 liters illicit *Nepali* foreign liquor from the Motorcycle
bearing Registration No.BR50AE-4196 kept in a bag. It is
alleged that petitioner fled away from the spot on seeing the
police party.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that the co-accused has been arrested
on the spot who confessed the name of petitioner as fled away
person with *malafide*. Learned counsel submits that petitioner
has no concern either with the alleged seized liquor or with the



seized motorcycle and except the confessional statement of the co-accused, there is no material against the petitioner. He further submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. Learned counsel submits that petitioner is a young boy of 20 years, having got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge Excise Court No.2, Supaul/ concerned Court in connection with Nirmali P.S. Case No.190 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ritik/-Koustav/-

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