

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15749 of 2026

Arising Out of PS. Case No.-69 Year-2025 Thana- LAKHNAUR District- Madhubani

Lal Babu Mukhiya S/O Bau Mukhiya Resident of Village and Post- Tamoria,
P.S.- Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Lakhnaur P.S. Case No. 69 of 2025 lodged on 28.06.2025, for the offence punishable under Sections 274, 275 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. Total recovery of 1.5 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and his name has figured in this case



due to dirty village politics. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are three cases pending against him and in all the cases, he is on bail. Counsel submits that all those cases are not relating to Excise Act.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that there are three cases pending against the petitioner and those cases are not relating to Excise Act.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Special Judge (Excise), Jhanjharpur, in connection with Lakhnaur P.S. Case No. 69 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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