

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20611 of 2026

Arising Out of PS. Case No.-8 Year-2022 Thana- SANGRAMPUR District- East Champaran

Shankar Mukhiya S/o Late Lalbahadur Mukhiya R/o vill- Koirgawa, PS-
Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 30(b), 30(c), 32 and
41(1) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of ten cases under the Excise Act and
allegation is of recovery of 15 litres of liquor from a distillery
along with 1500 litres of semi prepared liquor which was
destroyed at the spot.

4. Learned counsel for the petitioner submits that
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 is accessible to villagers at large. It is further submitted that



petitioner came to be implicated at the instance of the Chawkidar but then it is submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically either at the instance of the Chawkidar, local person, confessional statement or secret information without holding a proper investigation of the case. It is next submitted that if the Chawkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution. It is also submitted that petitioner is in custody since 15.12.2025 and if the privilege of regular bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence. It is submitted that petitioner in similar manner earlier also came to be implicated in cases relating to excise.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Trial Court where the case is pending in connection with
Sangrampur P.S. Case No. 08 of 2022.

(Satyavrat Verma, J)

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