

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22613 of 2026

Arising Out of PS. Case No.-170 Year-2023 Thana- BHAPTIAHI District- Supaul

Balchand Mukhiya @ Balchandra Mukhiya Son of Bhola Mukhiya Resident
of village - Baisa, Ward No.- 10, P.S.- Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Sessions Trial No. 1247 of 2023 arising out of Bhaptiyahi
P.S. Case No. 170 of 2023, dated 14.10.2023, lodged under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2016.

3. As per the prosecution, total recovery of 09 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
further submits that the petitioner was neither arrested from the
spot nor was anything illicit recovered from his possession.



Counsel further submits that the petitioner's name has figured in this case only because one of the alleged motorcycles was registered in his name. Counsel also submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

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 BNSS, 2023 to the satisfaction of P.O. Exclusive Special Excise Court No. 1, Supaul, in connection with Sessions Trial No. 1247 of 2023 arising out of Bhaptiyahi P.S. Case No. 170 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

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