

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36829 of 2026

Arising Out of PS. Case No.-70 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Arun Mukhiya, Son of Upendra Mukhiya, Resident of Village-Mangrauni,
P.S.- Rajnagar, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with G.O. Case No.70 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 36 liters of IMFL/country-made liquor.

4. It is submitted that the recovery of illicit liquor was made from the cattle house, which is joint family property of the petitioner. It is submitted that the said cattle house is an open place and accessible by any one and, therefore, it can be safely said that the recovery was not made from conscious



physical possession of this petitioner. While explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Madhubani in connection with G.O. Case No.70 of 2019, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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