

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40823 of 2026

Arising Out of PS. Case No.-551 Year-2018 Thana- JAYNAGAR District- Madhubani

1. Ramprit Mukhiya S/o Bhula Mukhiya Resident of village- Nilmani Pokhar, ward no 8, P.S- Jaynagar, District- Madhubani
2. Shiv Kumar Mukhiya S/o Yogin Mukhiya @ Jogeel Mukhiya Resident of village- Nilmani Pokhar, ward no 8, P.S- Jaynagar, District- Madhubani
3. Vinod Mukhiya @ Vinod Kumar Mukhiya S/o Yogin Mukhiya @ Jogeel Mukhiya Resident of village- Nilmani Pokhar, ward no 8, P.S- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard the parties.

2. The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Jaynagar P.S. Case No. 551/2018 of registered for the offences punishable under Sections 272, 273 and 34 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 126 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the petitioners submitted that recovery of illicit liquor was made from open place easily accessible by general public and, therefore, it can be safely said that alleged recovery of illicit liquor was not made



from the conscious physical possession of these petitioners. While concluding the argument it is submitted that petitioner no. 1 claimed clean antecedent, whereas petitioner no. 2 and 3 found involved in one more case, where they are on bail.

5. Learned APP, opposes the prayer for bail.

6. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as recovery of illicit liquor prima-facie not appears to be made from the physical possession of these petitioners, accordingly all above named petitioners, in the event of their arrest or surrender before the learned trial court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Madhubani/concerned trial court where the case is pending in connection with Jaynagar P.S. Case No.551/2018 of subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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