

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48199 of 2026

Arising Out of PS. Case No.-341 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Vinay Mukhiya S/o Ram Naresh Mukhiya @ Ram Bharos Mukhiya R/o vill-
Sapaha Ward No 10, Uttari Chhapara, Bahas, Ps- Sugauli, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Turkauliya (Banjariya) P.S. Case No. 341 of 2020 for the offence punishable under sections 272, 273 IPC and section 30(a) of Bihar Prohibition and Excise Amendment Act, lodged on 10.06.2020 by the informant.

3. Altogether 25 litres of illicit country made liquor is said to have been recovered from a motorcycle bearing Registration No. BR-22E-4166 which was allegedly being driven by the petitioner and the said motorcycle after seeing the police, was left and the petitioner is said to have escaped.

4. Learned counsel for the petitioner submits that the



name of the petitioner has transpired in this case on the basis of statement made by the local *Chaukidar* while it is the case of the petitioner that neither the motorcycle nor does the seized illicit liquor belong to the petitioner and he has got clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail though concedes that the petitioner has got clean antecedent.

6. Considering the fact that nothing incriminating has been recovered from the constructive possession of the petitioner and the motorcycle, from-where the illicit liquor is said to have been recovered, does not belong to the petitioner and he has got clean antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ***Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-



(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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