

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41937 of 2026**

Arising Out of PS. Case No.-435 Year-2025 Thana- MOTIHARI TOWN District- East
Champanan

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Mukesh Kumar, Son of Nagina Mahato, Resident of Ward No. 7, Near Jagat
Bazar Agency, Banjariya Sahu Tola, P.S.- Banjariya, District - East
Champanan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 30-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Town P.S.

Case No.435 of 2025 registered under Section 30(a) of the

Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 7.18 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for



the petitioner that the petitioner has been implicated as an accused solely on the ground that he is the registered owner of the Motorbike bearing Registration No. BR05R-2440 alleged to have been seized in connection with the present case. It is submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner claimed clean antecedent.

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 physical possession of this petitioner, accordingly, the petitioner above-named, who is a man of clean antecedent, 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 Excise Judge-I, East Champaran, Motihari in connection with Town P.S. Case No.435 of 2025,



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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