

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46843 of 2026

Arising Out of PS. Case No.-242 Year-2025 Thana- BANJARIA District- East Champaran

1. Sunil Mukhiya Son of Bhagrit Mukhiya @ Bhagirath Mukhiya Resident of Village - Chichurahiya, P.S.- Banjariya (Wrongly Singhwara), Dist- East Champaran (Wrongly Darbhanga)
2. Angad Mukhiya @ Angad Kumar son of Bhagrit Mukhiya @ Bhagirath Mukhiya Resident of Village - Chichurahiya, Ps- Banjariya (Wrongly Singhwara), Dist- East Champaran (Wrongly Darbhanga)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate.
For the Opposite Party/s : Mr.Kanhiya Kishor, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-07-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Banjariya P.S. Case No. 242 of 2025 registered for the offence punishable under Sections 274 and 275 of BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 70 litres of country made liquor kept in two gallons from the bank of Tilave river.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have committed no offence as alleged. They have no concern either with the seized liquor or trade of liquor in any manner.



The name of the petitioners surfaced in the case on the disclosure made by the chaukidar due to enmity. The place of recovery is an open place which is accessible to anyone.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., the petitioner no.1 Sunil Mukhiya who has clean antecedent, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, East Champaran, Motihari in connection with Banjariya P.S. Case No. 242 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. So far as petitioner no.2 Angad Mukhiya is concerned, considering his criminal antecedent, I am not inclined to enlarge him on pre-arrest bail.

8. The District Court is directed to verify the criminal antecedent of the petitioner no.1 and if it is found that the petitioner no.1 is involved in some other cases as what has been



stated in Para-3 of the bail petition, this order will automatically
lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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