

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44834 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- BANJARIA District- East Champaran

Angad Mukhiya @ Angad Kumar S/o Bhagirath Mukhiya R/o Village -
Chichurahiya, P.S. - Banjariya, Dist. - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 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 Banjariya P.S. Case No.36 of 2026 registered under Sections 274, 275 of B.N.S. and 30(a) of Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 70 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the alleged recovery of illicit liquor was made from the bank of Tilave river which is an open place



accessible to general public. It is also submitted that name of petitioner arrayed solely on the basis of suspicion as local chowkidar disclosed the name of petitioner. It further submitted that petitioner was not present at the spot and also is not connected in any manner with the said liquor. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further argued that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Explaining criminal antecedent, it is submitted that the petitioner found involved in two more criminal cases of similar nature, 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 note of the fact as recovery of illicit liquor *prima facie* not appears to be made from 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 Excise Judge, I, East Champaran, Motihari, in connection with Banjariya P.S. Case No.36 of 2026, 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.)

Aniket/-

U		T	
---	--	---	--

