

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45782 of 2026

Arising Out of PS. Case No.-117 Year-2026 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Pramod Mukhiya, S/O Nandi Mukhiya, R/O Vill- Vishhariya (Bisharia), P.S-
Kusheshwarasthan, Distt.-Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr .Girish Chandra Jha, Advocate
	:	Mr. Ashish, Advocate
For the Opposite Party/s :		Mr. Anil Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 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 Kusheshwarasthan P.S. Case No.117 of 2026 registered under Section 30(a) of the 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 1.375 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the seized illicit liquor was recovered from a *shop*, which is an open place accessible to the general



public and, therefore, it cannot be said that the alleged recovery was made from the conscious possession of the petitioner. It is further submitted that the name of the petitioner surfaced solely on the ground that he is the owner of the shop. It is also pointed out that seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. Moreover, 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 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 Special Judge (Excise Act)-II, Dharbhanga in



connection with Kusheshwarasthan P.S. Case No.117 of
2026, subject to the conditions as laid down under Section
482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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