IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77832 of 2026

CNR No. BRHC011133312026

Arising Out of PS. Case No.-267 Year-2026 Thana- BHAPTIAHI District- Supaul

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Arun Mukhiya S/o Sukhdev Mukhiya Resident of Village- Garhiya, Ward No. 10, P.S.- Bhaptiyahi, District- Supaul

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a boat, altogether 216 liters of illicit Nepali country made liquor was recovered. It is alleged that the petitioner was apprehended while he was trying to flee from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel

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has submitted that the petitioner is a poor boat man and he used to run boat for his livelihood. He has no concern with the alleged recovery of liquor. The witnesses of the seizure list are police personnel and police have not complied Section 105 of BNSS while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 11.09.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that the petitioner is having criminal antecedent of six cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhaptiyahi P.S. Case No. 267 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned P.O. Exclusive Spl. Excise Court-1, Supaul with following conditions:-

(i) The petitioner shall cooperate in trial and shall remain physically present in the trial court on each and every fixed date.

(ii) One of the bailors should be close relative of the petitioner.

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(iii) Petitioner is also directed not to indulge himself in similar nature of offences in future.

(Ashok Kumar Pandey, J)

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