IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81037 of 2026

CNR No. BRHC011164142026

Arising Out of PS. Case No.-318 Year-2025 Thana- ARERAJ District- East Champaran

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Anil Mukhiya @ Anil Kumar Son of Chokat Mukhiya Resident of Village - Bindwaliya, P.S.- Govindganj, District - East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

2 19-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Areraj P.S. Case No. 318 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, 110 litre illicit liquor was recovered from the two sacks found at the place of occurrence. Local chaukidar and local people disclosed the name of the petitioner and other who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as

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alleged in the FIR. Petitioner was not apprehended at the spot. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that petitioner has falsely been implicated in the present on account of inimical term with the local chaukidar. Except suspicion, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner is in custody since 21.09.2026 and he bears criminal antecedent of one case in which he is on bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner is FIR named accused persons and he cannot escape from the allegation made in FIR. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran at Motihari or Successor Court in connection with Areraj P.S. Case No. 318 of 2025, subject to following conditions:-

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(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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