

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85038 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- JAYNAGAR District- Madhubani

Mukesh Mukhiya Son of Jitan Mukhiya @ Jeet Mukhiya Resident of Village-
Korahiya, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Pallavi, Adv

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 20-01-2026 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State.
- 2.** The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 272, 273, 414 and 34 of
the IPC and Section 30(a) of the Bihar Excise Act.
- 3.** Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases out of which one case is
under the Excise Act and allegation is of recovery of 1575 litres of
liquor from five motorcycles.
- 4.** Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of any
of the seized motorcycles and he came to be implicated based on
confessional statement of Anand in police custody which does not
have any evidentiary value.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on Provisional anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jaynagar P.S. Case No. 146 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sumit/-

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

