

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40031 of 2023**

Arising Out of PS. Case No.-119 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

MUKUL KUMAR @ MUKUL RAI Son of Bhairo Rai @ Bhairav Prasad  
Yadav R/o Vill.- Paharpur Manorath, P.S.- Sahebganj, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate.

For the Opposite Party/s : Mr.Anant Kumar 1, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      28-07-2023                      Heard Mr. Rajeev Ranjan No.II, learned counsel  
appearing on behalf of the petitioner and Mr. Anant Kumar  
No.1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Sahebganj P.S. Case No. 119 of 2023 registered for the  
offence punishable under Sections 272 and 273/34 of the Indian  
Penal Code and Section 30(a) of the Bihar Prohibition and  
Excise Act.

3. The allegation is of recovery of 40 litres of country  
made liquor from the house of the co-accused Suresh Rai.

4. Learned counsel appearing on behalf of the  
petitioner submitted that the petitioner is innocent and he has  
falsely been implicated in the case. The name of the petitioner  
has surfaced in the present case on the basis of confessional



statement of co-accused Suresh Rai. Petitioner is not involved either in manufacturing of liquor or its sale which is prohibited in the State of Bihar. Nothing has been recovered from the possession of the petitioner rather the alleged recovery is from the house of Suresh Rai.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation and the fact that nothing has been recovered from the possession of the petitioner rather the alleged recovery is from the house of Suresh Rai, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.II, Muzaffarpur in connection with Sahebganj P.S. Case No. 119 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

mantreshwar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

