

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40982 of 2023**

Arising Out of PS. Case No.-41 Year-2023 Thana- HIRAMMA P.S. District- Sheohar

Mukesh Rai @ Mukesh, S/O Rajendra Rai R/O Village- Hirauta Ps. Sheohar,  
Dist. Sheohar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Divya Bharti

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

2      04-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in anticipation of his arrest in  
a case registered for the offences punishable under Sections  
30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the  
petitioner has antecedent of three cases and the allegation is of  
recovery of 478.44 litres of liquor from an auto.

The learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession and he came to be  
implicated based on confessional statement of Hira Lal Rai,  
which does not have any evidentiary value. It is further  
submitted that petitioner is not the owner of the seized auto.



Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Sheohar in connection with Hiramma P. S. Case No.41 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Satyavrat Verma, J)**

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