

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17050 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- Mufassil District- Khagaria

Madhukar Kumar, (Male), Aged about 30 years, Son of Bibhuti Kumar, R/O-
Ekaniya Khutia, Ward No. 10, Pos. Mansi, P.S.- Mansi, District- Khagaria,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabish Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Rabish Kumar, learned counsel appearing
on behalf of the petitioner and Ms. Asha Devi, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Mufassil P.S. Case No. 156 of 2024 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 47.07 litres of illicit
foreign liquor from a motorcycle bearing Registration No.
BR34R-6964.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to local village politics. Petitioner has no



concern either with the alleged seized liquor or with the motorcycle from which the illicit liquor was recovered nor he is involved in trade of liquor in any manner. Name of the petitioner has surfaced on the basis of confessional statement made by co-accused Raushan Kumar in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 Court Excise-I, Khagaria, in connection with Mufassil P.S. Case No. 156 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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