

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23183 of 2025

Arising Out of PS. Case No.-355 Year-2024 Thana- RAGHUNATHPUR District- Siwan

1. Mukesh Kumar @ Mukesh Kumar Yadav @ Mukesh Yadav Son of Phulena Yadav R/o village - Rakauli, P.S.- Raghunathpur, District - Siwan
2. Gobinda Bin @ Govinda Kumar Bin @ Gobind Kumar Bin Son of Nanhe Bin R/o village - Rakauli, P.S.- Raghunathpur, District - Siwan
3. Pramod Chauhan @ Pramod Kumar Chauhan Son of Parma Chauhan R/o village - Rakauli, P.S.- Raghunathpur, District - Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-09-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

3. Prosecution case is that 82 liters country made liquor was recovered from open place.

4. Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner no.1 has no criminal antecedent whereas petitioner no.3 has no criminal criminal antecedent prior to lodging of the



present case and petitioner no.2 has one criminal antecedent of similar nature.

5. Considering the fact that petitioner no.1 and 3 have no criminal antecedent prior to lodging of the present case, this pre-arrest bail petition with respect to petitioner no. 1 and 3 is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Exclusive Special Excise Court No. II, Siwan in Raghunathpur Police Station Case No. 355 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

6. In view of the fact that petitioner no.2 has got one criminal antecedent of similar nature, prayer for bail of the petitioner no.2 is rejected.

(Prabhat Kumar Singh, J)

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