

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19180 of 2025**

Arising Out of PS. Case No.-269 Year-2024 Thana- GUTHANI District- Siwan

Rakesh Kumar Maddheshiya Son of Ramlakshan Maddheshiya Resident of
Village- Patherdewa, P.S.- Tarkulwa, District- Deoria, (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav, Advocate.

For the Opposite Party/s : Ms.Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 16-04-2025 Heard Mr. Shambhu Prasad Yadav, learned counsel
appearing on behalf of the petitioner and Ms. Meena Singh,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Guthani P.S. Case No. 269 of 2024 registered for the
offence punishable under Section 30(A) of the Bihar Excise and
Prohibition Act, 2022.

3. The allegation is of recovery of 103.68 litres of
foreign liquor from a car bearing registration no. UP52BQ0102.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case. He has no concern either with the seized liquor or
trade of liquor in any manner. Petitioner is the owner of the



vehicle, but he was not present at the time of seizure of the liquor. The recovery of liquor has been made from co-accused Manohar Kumar Yadav who was present in the car. The petitioner has clean antecedent.

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 made against the petitioner and the fact that the recovery of liquor is not from the possession of the petitioner rather from co-accused Manohar Kumar Yadav who was present in the car, 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 Excise, Court No.1, Siwan in connection with Guthani P.S. Case No. 269 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.



8. The bail application stands disposed of.

(Purnendu Singh, J)

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