

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22300 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- RAJAOLI District- Nawada

Mukesh Yadav @ Mukesh Kumar Son of Rameshvr Yadav @ Rameshwar
Yadav Resident of Village- Bhur @ Bhaur, P.S.- Rajauli, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-04-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Rajauli Police Station Case No. 20 of 2025,
disclosing offences under Sections 30(a) of the Bihar Excise and
Prohibition Act, 2022 and Section 111 of the BNS, 2023.

3. As per the prosecution case, the police during
patrolling on 10.01.2025 got the secret information that 7 to 8
persons were carrying liquor from Jharkhand on a motorcycle
arrived at the Suranga Hill and saw that 5 to 6 motorcycles were
coming having bags tied over it and when the police party tried
to intercept them, they started fleeing away, however, 3 persons
were apprehended with motorcycles, 2 persons fled away after
leaving the motorcycle on the spot and 1 person fled along with



the motorcycle. A total quantity of 620 liters of country-made Mahua liquor was recovered from the 5 seized motorcycles.

4. Learned Counsel for the petitioner submits that petitioner is having no criminal antecedent and he has been made accused on the basis of disclosure of his name by the arrested co-accused. The motorcycles from which the illicit liquor has been recovered does not belong to the petitioner which would be evident from the seizure list itself. No liquor has been recovered from the conscious possession and/or vehicle belonging to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, his name has come on disclosure made by the arrested co-accused persons and the recovery of liquor is from 5 other motorcycles and not from the motorcycle of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail 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 Court
Excise-2, Nawada, in connection with Rajauli Police Station
Case No. 20 of 2025, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure/Section
482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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