

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21472 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- EXCISE BIRAUL District- Darbhanga

Basudeo Mukhiya S/o Late Prabhu Mukhiya R/o village - Missi, Ward No.
-13, P.S. - Kusheshwar Asthan, Dist. -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Asha Kumari,APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Biraul Excise P.S.Case No.257/2024 registered for the offences
punishable under Sections 30(a) of Bihar Prohibition and Excise
Act.

3. As per the allegation made in the FIR, total 11.520
ltr. of country-made liquor was recovered from the dickey of a
Motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is the registered owner
of the motorcycle, however, the said motorcycle was being run
by the son of the petitioner and the petitioner was not present at
the time of alleged seizure of 11.520 ltr. liquor from the dickey



of the motorcycle. 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. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-1, Excise Act, Darbhanga/concerned court, in connection with Biraul Excise P.S.Case No.257/2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned 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 paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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