

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22464 of 2025

Arising Out of PS. Case No.-145 Year-2025 Thana- Excise P.S. District- Siwan

Mukesh Rai S/o Devendra Ray Resident of Pirdamariya, P.S.- Malsalami,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Siwan
Excise Sadar P.S. Case No. 145 of 2025 instituted for the
offences under Section 30(a)/32(3) of the Bihar Prohibition
and Excise (Amendment) Act, 2016.

3. As per prosecution case, the police has recovered
total 414.720 liters of illicit foreign liquor from the Mahindra
Bolero vehicle. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case merely on the basis of suspicion. The petitioner is not the owner of the alleged Bolero pick-up vehicle rather the registered owner is one Satpal Singh. As per allegation, the petitioner is the driver of the alleged vehicle but, was not aware of the contents of the material loaded in the same. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 21.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on



furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise Sadar P.S. Case No. 145 of 2025.

(Rudra Prakash Mishra, J)

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