

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30754 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- KESARIA District- East Champaran

Mukesh Yadav S/o Bhupendra Ray Resident of Village - Kushar, PS-
Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard Learned counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Kesariya P.S. Case No.150 of 2024 lodged on 15.05.2024, for the offence punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, the total recovery of 10 litres of *desi chulai* liquor has been made from a motorcycle, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the alleged recovery has been made from a motorcycle which belongs to the petitioner and only due to this reason, his name has figured in this case. Counsel submits that petitioner has given his motorcycle to his brother for some work



and he has no concern with the alleged liquor. Counsel submits that in future, such mistake shall not take place. Counsel further submits that the criminal antecedent of the petitioner is clean. He further submits that nothing has been recovered from conscious possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No.3, East Champaran at Motihari, in connection with Kesariya P.S. Case No.150 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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