

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33595 of 2025

Arising Out of PS. Case No.-263 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

=====

Mritunjay Kumar S/o Gulab Mahto R/o Village- Panchlakh, Ward No. 5, P.S.-
Basnahi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Udakishunganj P.S. Case No. 263 of 2021 registered for the
offences under Section 30(a) of Bihar Prohibition & Excise
(Amendment) Act, 2018.

3. As per the prosecution case, on secret information,
a pick-up van was intercepted and on search, it was found that
among the bag of grocery items, cartoons of foreign liquor was
loaded. It is further alleged that two persons were caught and
they disclosed their names as Prayag Kumar and Laltu Kumar. It
was found that a total of 469.800 litres of foreign liquor was
loaded in the said pick-up van.



4. Learned counsel for the petitioner submits that the petitioner has been implicated in this case merely because he happens to be the owner of the vehicle. It has further been submitted that the said pick-up van was given to one Raja Kumar @ Abhishek Kumar for carrying some consignment and he was not aware of the contents which they were carrying. Learned counsel has further submitted that no incriminating article was recovered from the conscious possession of the petitioner and he had no concern, whatsoever, with the goods which was recovered from the pick-up van. It has further been submitted that the other named accused persons have been granted bail by Co-ordinate Bench of this Hon'ble Court. It has lastly been submitted that the petitioner carries clean antecedent and he is in custody since 21.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the pick-up van owned by the petitioner was intercepted and 469.800 litres of foreign liquor was recovered from the same.

6. Considering the aforesaid submissions and taking into account the fact that the petitioner was not apprehended at the place of occurrence, his clean antecedent and also the fact that the apprehended accused persons have been enlarged on



bail, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-Vth-cum-Special Judge Excise-I, Madhepura in connection with Udakishunganj P.S. Case No. 263 of 2021 subject to the conditions :-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in



terms of the afore-mentioned order shall not
be delayed for purpose of or in the name of
verification.

(Sourendra Pandey, J)

Neha/-

U		T	
---	--	---	--

