

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34211 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- KARTAHA District- Vaishali

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Mukesh Singh @ Mukesh Kumar @ Rajesh Kumar Singh S/O Dun Bahadur
Singh Resident of Village- Dhanushi, P.S- Kartahan, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh,APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Kartahan P.S. Case No. 44 of 2025 registered for the offences punishable under Sections 30(a) and 44(ii) @ 44(2) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 559.26 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner transpired on



the basis of disclosure made by apprehended co-accused persons namely, Amit Kumar, who is the cousin of the petitioner and due to some misunderstanding arising out of altercation took place with police personnel, the name of the petitioner was disclosed without having any incriminating materials. Admittedly, recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is submitted that petitioner found involved in one more criminal case where he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1-cum-District and



Additional Sessions Judge, Vaishali at Hajipur in connection with Kartahan P.S. Case No. 44 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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