

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34104 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- JOKIHAT District- Araria

1. Rakesh Kumar Son of Fakira Mahto Resident of Village - Jagannathpur Dokhra, P.S.- Saraiya, District - Muzaffarpur.
2. Ankaj Kumar Son of Gonu Mahto Resident of Village - Nizamuddin Kodariya, P.S.- Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Jokihat P.S. Case No.119 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case the informant got a secret information that huge quantity of liquor is being transported on white color pick up vehicle. On such information vehicles were checked and one pickup van was intercepted and two persons were apprehended namely Rakesh Kumar (petitioner no.1) and Pankaj Kumar (petitioner no.2). On search total 219 litres of foreign liquor was recovered from the said



vehicle.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case and no incriminating material has been recovered from their conscious possession. Learned counsel further submits that they are driver and helper of the said vehicle and had no concern with the consignment which they were carrying. It is lastly submitted that the petitioners have clean antecedents and are languishing in custody since 03.04.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioners have clean antecedent, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court-II, Araria in connection with Jokihat P.S. Case No.119 of 2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be their close relative.
- b. The petitioner shall remain physically



present in Court on each date of the trial.

c. 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 the cancelled by the court concerned.

d. 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 their 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)

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