

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38941 of 2025

Arising Out of PS. Case No.-158 Year-2023 Thana- HATHAURI District- Samastipur

Sri Mukul Pathak @ Mukul Kumar Pathak @ Mukul Pathak Son of Bimlesh Pathak Resident of village - Nande Nagar Balaha, P.S.- Rosera, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-06-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 30(a), 41(1) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases and allegation is of recovery of 1215.72 litres of liquor from a truck. It is further submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized truck. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get



implicated. It is also submitted that petitioner is in custody since 13.04.2025. It is further submitted that petitioner had earlier moved this Court seeking anticipatory bail by filing Cr. Misc. No. 54932 of 2024 and the same was allowed by an order dated 31.08.2024 but then the petitioner could not surrender within the time stipulated in the order dated 31.08.2024.

4. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Hathauri P.S. Case No. 158 of 2023.

(Satyavrat Verma, J)

Kundan/-

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

