

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37276 of 2025

Arising Out of PS. Case No.-92 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Mukesh Kumar S/O- Bikhani Sah Resident of Village- Ahuna Shisava
Chandrapura Khurd, Bishunpur Dhusmari, P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for grant of anticipatory bail in connection with C1 Case No. 92 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Recovery of 173.250 litres of illicit foreign liquor has been made from a 4 wheeler vehicle, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in this case on this ground that he is the owner of vehicle in question. He submits that petitioner is the bonafide owner of the



said vehicle and his vehicle was playing by his driver, namely, Jitendra Sah and petitioner was not present at the time of alleged recovery. He further submits that the petitioner was not aware about the alleged illicit liquor carried by the driver in his vehicle and as such for the said offence, petitioner can not be blamed. He has no concern with the alleged recovery or with the place of occurrence. Nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the clean antecedent of the petitioner, let the petitioner, above named, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Purnea in connection with C1 Case No. 92 of 2021.

(S. B. Pd. Singh, J)

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