

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40808 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- EXCISE KATORIYA District- Banka

Mukesh Kumar S/o Adhik Lal Tanti Resident Of Chandan Nagar (Nawagarhi)
P.S- Mufassil, District-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Katoriya Excise P.S.
case No. 128 of 2024 instituted for the offences under Section
30 (a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 318.750 liters
liquor was recovered from car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is
further submitted that the name of the petitioner has transpired



as being owner of the car and he had no knowledge regarding the nature of goods kept in vehicle. The petitioner is in custody since 16.05.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Katoriya Excise P.S. case No. 128 of 2024.

(Rudra Prakash Mishra, J)

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