

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42438 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Mukesh Kumar @ Mukesh Singh S/o Chandeshwar Singh R/o Village-
Madhusudanpur. P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Musrigharari P.S. Case No. 120 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 909.6 liters of illicit foreign liquor from the pick-up
vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is the registered owner of the alleged pick-up van
but, was unaware of the fact that the same was used for carrying



illicit liquor. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 04.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Musrigharari P.S. Case No. 120 of 2024.

(Rudra Prakash Mishra, J)

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