

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45511 of 2025

Arising Out of PS. Case No.-655 Year-2025 Thana- Excise P.S. District- Patna

Mukku Kumar S/o Shivalat Rai @ Shivbalak Rai Resident of Village-
Dhanaut, P.S. Rupaspur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Patna
Excise P.S. Case No. 655 of 2025 instituted for the offences
under Sections 30(a) & 56(b) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
total 80 liters of illicit country-made liquor from the Auto. The
petitioner was arrested on the spot.

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
due to local dirty village politics. He further submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner. The petitioner is the driver-cum-



owner of the alleged Tempo and was not aware of the illicit liquor being kept in the same. 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 no criminal antecedent and is languishing in judicial custody since 05.05.2025 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 and the petitioner having no criminal antecedent, 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 Patna Excise P.S. Case No. 655 of 2025.

(Rudra Prakash Mishra, J)

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