

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45232 of 2025

Arising Out of PS. Case No.-82 Year-2020 Thana- SAUR BAZAR District- Saharsa

Mukesh Yadav @ Mukesh Kumar, Son of Mahatma Yadav, village- Chandi
Asthan, Jamhara, P.S.- Sonbarsa Raj, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sour Bazar P.S. Case No. 82 of 2020 Special Excise Case No. 106 of 2020 dated 17.02.2020 registered for the offences punishable u/ss Sections 272, 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 380 litres of country made liquor was recovered from the tempo of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case on suspicion. Petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has been made accused in this case being the owner of the seized tempo. The petitioner has given Tempo to his driver (co-accused) for running on hire but he misused the same. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 22.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned/ Special (Excise) Judge II, Saharsa in connection with Saur Bazar P.S. Case No. 82 of 2020.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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