

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45481 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- KHARIK District- Bhagalpur

1. Mukesh Kumar Yadav @ Mukesh Kumar S/O Chhedi Yadav Resident of Village- Thatha, P.S- Mansi, District- Khagaria.
2. Kulanand Sah S/O Late Ramotar Sah Resident of Village- Thatha Bakhtiyarpur, P.S- Mansi, District- Khagaria.
3. Madhukar Kumar S/O Vibhuti Yadav Resident of Village- Ekniyar, P.S- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in connection with Kharik
P.S. Case No. 158 of 2025 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 165.6
litres of liquor was recovered from car.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 21.05.2025. Petitioner nos. 1 and 2 have one criminal antecedent each and petitioner no.3 has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kharik P.S. Case No. 158 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel
the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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