

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67614 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Mukesh Kumar S/o Late Badari Sah R/o Village - Nabiganj, P.S - Bhagwan Bazar, District - Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwan Bazar 237 of 2024 P.S. Case No. 237 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., recovery of 48.600 litres of illicit liquor has been made from a scooty bearing Reg. No. BR04AR7941 which is the subject matter of the present case.

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



this case. He has got no criminal antecedent. He has no concern with the alleged recovery. The petitioner was not arrested from the spot rather his name has been figured in this case on the basis of confessional statement of the apprehended accused namely, *Chooten Kumar* made before the police, which has got no evidentiary value in the eye of law. *Chooten Kumar* has taken the scooty of the petitioner for the purpose of going market but he has allegedly misused his scooty for carrying illicit liquor. Petitioner is in custody since 01.07.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody as well as clean antecedent of the petitioner as mentioned in para 3rd of the bail petition, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra in connection with Bhagwan Bazar 237 of 2024 P.S. Case No. 237 of 2024



subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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