

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63485 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- DARIHAT District- Rohtas

=====

Mukesh Kumar S/o- Teju Paswan Village- Bhusahula , Ward no. 1 , PS-
Darihat , Dist-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Rajani Kant Singh, learned counsel

appearing on behalf of the petitioner and Mr. Braj Kishore Pd.,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Darihat P.S. Case No. 19 of 2025 registered for the
offence(s) punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 50 litres of
illicit liquor was recovered from a motorcycle bearing
Registration No.BR26Y0834 and driver of the said motorcycle
was apprehended. Petitioner is said to be owner of the seized
motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Admittedly, at the time of the alleged seizure and recovery of illicit liquor, petitioner was not present and he has been made accused in this case, being the owner of the motorcycle in question, which was given by the petitioner to his brother/co-accused/Rupesh Kumar @ Rupesh Paswan and the same was being driven by him at the time of said incidence and, as such, the petitioner had no idea that he was carrying liquor on the said vehicle. Petitioner has no concern with the seized liquor. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that the petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court



No.1, Rohtas at Sasaram / Concerned Court in connection with
Darihat P.S. Case No. 19 of 2025, subject to the conditions as
laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the
criminal antecedent of the petitioner and if it is found that the
petitioner is involved in some other cases, as what has been
stated in paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

