

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69229 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- Excise P.S. District- Gopalganj

Mukesh Kumar @ Mukesh Yadav S/o Chhabila Yadav Resident of Village -
Siyadi, P.S. - Barharia, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-10-2025 Heard Mr. Bijay Prakash Singh, learned counsel

appearing on behalf of the petitioner and Mr. Khurshid Anwar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Case No. 50 of 2025 registered for the offence
punishable under Section 30(a) and 32 of the Bihar Prohibition
and Excise Act, 2022.

3. As per the allegation made in the FIR, 144 litres of
country made liquor was recovered from a car bearing
Registration No.UP52BX2405.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has been
falsely implicated in the case. He has no concern either with the
seized liquor or trade of liquor in any manner. 144 litres of



country made liquor was recovered from a car bearing Registration No.UP52BX2405. The petitioner is neither the owner of the said vehicle nor anything incriminating was recovered from his conscious possession. Name of the petitioner has surfaced on the basis of confessional statement of the co-accused. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the nature of allegation made against the petitioner and the fact that altogether 144 litres of country made liquor was recovered from a car bearing Registration No.UP52BX2405, learned District Court is directed to verify from the District Transport Officer concerned in respect of the seized vehicle, as to whether, the same is registered in the name of the petitioner?

7. In case, the same is registered in the name of the petitioner and is not stolen and the vehicle was being driven by some other person, the petitioner cannot be held responsible for the said act of the co-accused. In that case, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned learned District Court where the case is pending in connection with Excise P.S. Case No. 50 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent/s of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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