

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66331 of 2025**

Arising Out of PS. Case No.-22 Year-2023 Thana- BAUNSI District- Banka

Mukesh Kumar S/o Ramanand Yadav, R/o Vill.- Naya Bazar, Ward no.2,
Nagar Parishad, P.S. and Dist.- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr .Dhirendra Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER**

2 24-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Bounsi P.S. Case No. 22 of 2023, dated 21.01.2023, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 482.955 litres of illicit foreign liquor was recovered from beneath stone chips loaded on a tractor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. He further submits that name of the petitioner transpired in the present case on the basis of confessional



statement of the apprehended co-accused person namely, Kundan Singh. Nothing has been recovered from the conscious possession of the petitioner and petitioner has no concern either with the alleged recovery or with the tractor in question. He lastly submits that petitioner claims clean antecedent and he belongs from a respectable family having movable and immovable property and there is no chance of absconding or tampering with the prosecution evidence in nay manner.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner has clean antecedent, nothing has been recovered from his conscious possession and he has no concern either with the alleged recovery or with the tractor in question, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II, Special Excise Act, Banka, in connection with **Bounsi P.S.**



Case No. 22 of 2023, subject to the conditions laid down under
Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

Shahnawaz/-

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