

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66456 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- RAGHUNATHPUR District- Siwan

Mahesh Kumar S/o Naga Ram R/o Village / Mohalla - Uran Tola, P.S -
Gardanibagh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Raghunathpur P.S. Case No. 223 of 2025, registered for the offences under Sections 317(4), 317(5), 336(3), 338 of the BNS and 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, recovery of 357.960 litre of foreign liquor was made from a Scorpio vehicle and the petitioner was apprehended while trying to run away from the spot. Two other co-accused persons fled away when the police gave a chase to them.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The petitioner has no concern with the seized liquor and nothing incriminating has been recovered from the conscious possession of the petitioner who has taken a lift in the said vehicle. The petitioner is not the owner of the vehicle and though the vehicle is said to be stolen no FIR has been lodged for theft of the vehicle. The petitioner is having clean antecedent and he is in custody since 21.08.2025.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. -II, Siwan/concerned court, in connection with Raghunathpur P.S. Case No. 223 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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