

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67556 of 2025**

Arising Out of PS. Case No.-378 Year-2018 Thana- MAIRWAN District- Siwan

Mukesh Kumar @ Mukesh Chauhan S/o Ramchandra Chauhan R/o Village-
Srinagar, P.S.- Mairwa, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh, Advocate.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 25-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Mairwa P.S. Case No. 378 of 2018 registered for the offence punishable under Sections 272/273/308/34 of the Indian Penal Code and Sections 30(a), 37(b), 38(i) and 41(i) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 08.640 litres of foreign liquor from the possession of the apprehended accused.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case. The name of the petitioner has surfaced in the case



on the disclosure made by the apprehended co-accused. He has no concern either with the seized liquor or trade of liquor in any manner. The petitioner has clean antecedent.

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

6. Having considered the rival submissions made on behalf of the parties and the nature of allegation against the petitioner and the fact that the name of the petitioner has surfaced in the case on the disclosure made by the apprehended co-accused and the petitioner has clean antecedent, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below 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 District Court where the case is pending in connection with Mairwa P.S. Case No. 378 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) BNSS.

7. The 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 Para-3 of the bail petition, this order will automatically lose its force.



8. The bail application stands disposed of.

(Purnendu Singh, J)

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