

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73047 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- ARERAJ District- East Champaran

Mukesh Patel @ Mukesh Kumar Son of Mahendra Raut @ Mohinder Rat
Resident of Village -Janerwa Ward No 7, PS -Areraj District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 20.04.2025, PSI Ramendra Kumar of Areraj Police Station went for evening patrolling with other officers. Around 5:50 PM, he received information that Mukesh Patel was selling liquor from his house in Janerwa Village. On reaching there at 6:00 PM, a man (later identified as Mukesh Patel) tried to flee with a yellow bag but escaped, leaving the bag behind. The police recovered 40 bottles (16 liters) of country-made liquor from the bag. Despite asking villagers, no one agreed to be an independent witness, so the



police themselves prepared the seizure list and returned to the station with the seized liquor.

4. Learned counsel for the petitioner submits that the illicit liquor was recovered from the backyard of the house which belongs to this petitioner and only on that basis, the petitioner has been roped in this case while the place from where the said liquor is said to have been recovered, is an open space which is accessible to general public. It has further been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submissions made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner but from an open space accessible to general public and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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 Special Judge, Excise Court No.1, East Champaran, Motihari, in connection with Areraj P.S. Case No. 79 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

sharun/-

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

