

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88175 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- Excise P.S. District- Saharsa

Mrityunjay Kumar @ Mrityunjay Kumar S/o Ganesh Sah R/o Village -
Gangjala Ward No. 18, Saharsa, P.S - Saharsa Sadar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mrs.Asha Devi

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-12-2025 Heard learned counsel for the parties.

2. The petitioner is seeking bail in connection with Saharsa Excise P.S. Case No.70 of 2025, dated 15.02.2025 registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, 164.940 liters of foreign liquor were allegedly recovered from the house of Jalu Singh, where the co-accused Niraj Kumar was apprehended and reportedly disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case solely on the basis of the confessional statement of the apprehended co-accused. It is further submitted that the place from which the illicit liquor was recovered does not belong to the petitioner. The petitioner has been in judicial



custody since 04.11.2025. Lastly, it is submitted that the petitioner has five criminal antecedents similar to the present case, in which he is currently on bail.

5. Learned counsel for the petitioner, on instructions, and without accepting his guilt, proposes to deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) in the welfare account of the Advocates' Association of the Patna High Court.

6. Learned APP for the State vehemently opposed the prayer for bail.

7. Regard being had to the submission made by the parties, taking into consideration the period of custody, this Court is inclined to grant regular bail to the petitioner.

8. Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise-I), Saharsa/ Successor Court, in connection with Excise P.S. Case No.70 of 2025, and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

shikha/-

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

