

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86195 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- Excise P.S. District- Saran

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Mahesh Kumar S/o- Birendra Kumar R/v- Arya Nagar, Imamganj Sonarpatti
Ps- Chapra Town Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar Srivastava, Advocate
For the Opposite Party/s : Mr.Akbar Ali, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sadar
Excise P.S. Case No. 248 of 2025, instituted for the offences
punishable under Section 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 42 liters of
country made liquor was recovered from Toto. Petitioner was
arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel



further submitted that the petitioner is driver of the vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 28.09.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sadar Excise P.S. Case No. 248 of 2025.

(Rudra Prakash Mishra, J)

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