

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85764 of 2025

Arising Out of PS. Case No.-350 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Mukesh Yadav S/O Shambhu Yadav R/O Village- Bada Bariyarpur, P.S-
Chhatauni, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Adv
For the Opposite Party/s : Mr. Ajit Kumar, APP

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

ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Trial
No. 2633 of 2022 arising out of Excise P.S. Case No. 350 of
2021, instituted for the offences punishable under Sections
30(a), 41 (1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
1623.960 liters of foreign liquor was recovered from Truck.

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



for the petitioner submits that petitioner is neither owner nor driver of the seized vehicle. It is further submitted that petitioner's name has transpired during course of investigation. The petitioner is in custody since 12.10.2025 and has got two criminal antecedents. 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 Trial No. 2633 of 2022 arising out of Excise P.S. Case No. 350 of 2021.

(Rudra Prakash Mishra, J)

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