

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88120 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- Excise P.S. District- Saran

Mukesh Kumar S/O Ashok Mahto R/O Village- East Dahiyawan Dih, Ward No.-28, P.S- Chhapra Town, Distt.- Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is seeking bail in connection with Sadar Excise P.S. Case No.218 of 2025, dated 02.09.2025 registered for the offences under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

3. As per the FIR, the police apprehended the petitioner and recovered 30 liters of country-made liquor from a motorcycle bearing Registration No. BR29AJ4429.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. There has been no recovery from the petitioner or from his constructive possession. It is further submitted that the



rider of the motorcycle fled, and the police apprehended the petitioner, who was nearby, and implicated him in the instant case. The petitioner has no connection with the seized liquor, nor does he have any concern with the seized motorcycle. The petitioner has been in judicial custody since 03.09.2025. Lastly, it is submitted that the petitioner has one criminal antecedent similar to the present case, in which he is 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 Lawyer's Association Welfare/Benevolent Fund, 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, and 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 Court of Exclusive Special Excise Court No.03, Saran at Chapra/ Successor Court, in connection with Sadar



Excise P.S. Case No.218 of 2025, and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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