

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8313 of 2026

Arising Out of PS. Case No.-710 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Mithlesh Kumar, age about 28 Yrs, Male, Son of Rati Sah, R/o Village -
Dharhara, P.S. - Durgawati, District - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2026 Heard Mr. Tribhuwan Narayan, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bhabua Excise P.S. Case No. 710 of 2025 registered for the
offence punishable under Sections 30 (a) and 32(i)(ii)(iii) and
41(i)(ii) of the Bihar Prohibition and Excise Act as amended up-
to-date.

3. Allegation is of recovery of 29.500 litres illicit
liquor from a motorcycle bearing Registration No. BR45J 5231
belonging to the petitioner, which was parked near a pond
situated at Dhidkhili market.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated



in the present case simply because the vehicle from which the illicit liquor was recovered, is registered in his name. The motorcycle was parked on the road near a pond situated at *Dhidkhili* market, which is an open place and easily accessible to anyone. Petitioner has no concern with the alleged seized liquor nor he is involved in trade of liquor in any manner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the fact that the recovery of 29.500 litres illicit liquor was made from a motorcycle bearing Registration No. BR45J 5231 belonging to the petitioner, which was parked near a pond situated at *Dhidkhili* market, which is an open place and easily accessible to any one and also the fact that the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court 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 the learned District Court where the case is



pending, in connection with Bhabua Excise P.S. Case No. 710 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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