

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14778 of 2026

Arising Out of PS. Case No.-324 Year-2023 Thana- DANIYAWAN District- Patna

Mukesh Kumar S/o- Raj Kumar Mahto @ Raj Kumar R/v- Khabra @
Kiratpur Gurdas Ps- Muzaffarpur Sadar Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Daniyawon P.S. Case No. 324 of 2023 instituted for the offences
punishable under Section 30(a), 32(2), 32(3), 36, 41(1), 41(2) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 443.25
litres of liquor was recovered from two cars.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
disclosure made by co-accused Rajan Kumar. No incriminating
article has been recovered from the conscious possession of the



petitioner. Learned counsel further submitted that petitioner is in no manner connected with the vehicles in question or the alleged recovery of liquor. The petitioner is in custody since 20.01.2026 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No. 16939 of 2024.

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, claim based on parity as also 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 Daniyawan P.S. Case No. 324 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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