

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22818 of 2026

Arising Out of PS. Case No.-540 Year-2025 Thana- Excise P.S. District- Gopalganj

Mukesh Kumar S/O Dhruv Prasad @ Dhurup R/O Village- Hafua Jeewan,
P.S- Taryasujan, Distt.- Kusshinagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate

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

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

ORAL ORDER

4 17-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Excise PS Case No. 540 of 2025 instituted for the offences
under Sections 30(a) and 32 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total
1343.400 litres of liquor was recovered from pickup van.

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
as being owner of the pickup van in question. The petitioner has
got no concern with the alleged recovery of liquor. The



petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner.

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, since petitioner is the owner of the pickup van in question from which huge quantity of liquor is recovered, this Court is not inclined to enlarge petitioner on anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioner is *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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