

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41466 of 2026

Arising Out of PS. Case No.-171 Year-2025 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Mukesh Kumar, S/o Naval Kishore, Resident of Vill.- Rampur Dumra, Ward
No- 07, P.S - Mokama, Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Cheriya Bariyarpur P.S. Case No.171 of 2025 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act,2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 1260 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the seized illicit liquor was recovered from a Tata vehicle 407 bearing Registration No. BR01GE-3104.



It is further submitted that the petitioner's name has been surfaced in the present case solely on the ground that he is the registered owner of the seized vehicle, and not on the basis of any material demonstrating his conscious possession, involvement or complicity in the alleged offence. It is also pointed out that seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner above-named, who is a man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 Exclusive Special Excise Judge-I, Begusarai in



connection with Cheriabariyarpur P.S. Case No.171 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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