

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89484 of 2025

Arising Out of PS. Case No.-422 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Mukesh Kumar @ Mukesh Kumar Rai @ Mukesh Roy S/o Dilip Ray R/o
Village- Belsandi Tara, PS- Bibhutipur, Distt- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 07-01-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Bibhutipur P.S. Case No. 422 of 2025 registered for the offence(s) punishable under Section(s) 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 22.5 litres of illicit liquor was recovered from the house of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the recovery has been made from the place of occurrence which is joint family property and the petitioner has no concern with the seized liquor. It has lastly been submitted that the petitioner has one



criminal antecedent of similar nature and he is in custody since 30.10.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 2500/- with the Advocate Association, Patna High Court.

6. The learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

7. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 30.10.2025, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Bibhutipur P.S. Case No. 422 of 2025, subject to the following terms and conditions :-

(i) One of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in



violation of the terms of the bail, the bail bond of the petitioner will liable to be cancelled by the Court concerned.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

8. The bail bond of the petitioner shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Advocate Association, Patna High Court.

9. Accordingly, the prayer for bail is allowed.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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