

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37120 of 2025

Arising Out of PS. Case No.-183 Year-2025 Thana- MALSALAMI District- Patna

Mukesh Das @ Mukesh Kumar S/O Tuntun Das R/O Bundel Toli, P.S-
Malsalami, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Nikhil Kumar Singh, Advocate
For the State : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-06-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 105 litres country made liquor was recovered from front of house of this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner claims clean



antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned I/C Special Judge, Excise, Patna City in connection with Malsalami P.S. Case No. 183 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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