

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1723 of 2026

Arising Out of PS. Case No.-3 Year-2021 Thana- Excise P.S. District- Madhepura

Ramesh Mukhiya Son of Arjun Mukhiya Resident of Village- Parwa Ward
No. 03, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Adv.

For the Opposite Party/s : Ms. Gulnar Begum, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhepura Excise PS Case No. 788 of 2021 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 40 liters of
country made liquor was recovered from the bank of the river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel



for the petitioner submits that the recovery has been made from an open place which is accessible to one and all and the name of the petitioner transpired in this case on the disclosure made by the local persons due to dirty village politics. The petitioner is in custody since 09.12.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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 and 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhepura Excise PS Case No. 788 of 2021.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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