

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12083 of 2026

Arising Out of PS. Case No.-204 Year-2026 Thana- Excise P.S. District- Patna

1. Ramesh Kumar S/o- Binod Shah R/v- Rajiv Nagar, Road no- 24K, PS- Rajiv Nagar, District- Patna
2. Md. Khalil Ahmad S/o- Late Md. Yasin R/v- Sheikha Alamchak, Jehanabad W.No-13, Ps- Jehanabad Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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

ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Excise Patna P.S. case No. 204 of 2026 instituted for the offences under Sections 30(a), 32, 41, 56(b) and 62 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 259.2 liters liquor was recovered from a compound and a tempo and the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. It is further submitted that the petitioner No. 1 is renter of the house in question and the house in question is under joint occupation of the owner as well as several other renters. The petitioner No. 2 is also neither owner nor driver of the tempo in question. The petitioners are in custody since 12.01.2026 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Patna P.S. case No. 204 of 2026.

(Rudra Prakash Mishra, J)

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