

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15847 of 2026

Arising Out of PS. Case No.-548 Year-2025 Thana- MALSALAMI District- Patna

Mukesh Kumar @ Mukesh Kumar Ray Son of Ram Dayal Ray Resident of
Village - Sharifa Ganj, Police Station - Malsalami, District -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-03-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Malsalami P.S. Case No.548 of 2025 lodged on 23.10.2025, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution, the recovery of total 10 liters mahua liquor have alleged to be made from a white polythene, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the petitioner has been falsely implicated in the present. The said recovery has not been made in conscious possession of the petitioner. He further submits that petitioner's



name has come in this case by virtue of discloser of co-accused.

5. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one criminal case (other than excise matter) pending against him, in which he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Court of Excise Patna City, in connection with Malsalami P.S. Case No.548 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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