

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16460 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- MALSALAMI District- Patna

Ramesh Kumar, S/O Kailash Rai, Resident of Village- Kila Par, P.S- Chowk
Dist - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Malsalami P.S. Case No. 86 of 2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution, in short, is that altogether 340 liters of country made liquor was beneath the earth. Two persons were found loading the said liquor on the auto.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that 130



liters of liquor was found on E-rickshaw whereas rest was recovered beneath the earth. Nothing has been recovered from his possession. The witnesses of seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 15.02.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Court of Excise, Patna City in connection with Malsalami P.S. Case No. 86 of 2026.

(Ashok Kumar Pandey, J)

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