

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21825 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- Ramdas Rai Ka Dera District- Buxar

1. Mukesh Gond @ Lali Gond S/o Gorakh Gond @ Rajesh Gond Resident of Village - Gangauli, Police Station - Ram Das Rai K Dera, District - Buxar
2. Pradhan @ Devendra Yadav S/o Sri Bhagwan Yadav Resident of Village - Gangauli, Police Station - Ram Das Rai K Dera, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 08-04-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Ram Das Rai K Dera P.S. Case No.08 of 2026 lodged on 22.02.2026, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution, the total recovery of 137.64 litres of *illicit* English wine have been alleged to be made from a jute bag, which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the petitioners were not present on the spot and their name has transpired only due to confessional



statement of apprehended accused. He further submits that nothing has been recovered from conscious possession of the petitioners.

5. Counsel submits that petitioner No.1 has one criminal antecedent other than excise matter, in which he is on bail and petitioner No.2 has clean antecedent.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that antecedent of petitioners with regard to excise matter, is clean.

7. As such, in the present facts and circumstances of this case, let the above named petitioners 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) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court-2, Buxar, in connection with Ram Das Rai K Dera P.S. Case No.08 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

And further condition that the Trial Court shall verify the criminal antecedent of the petitioners relating to excise matter and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. However,

of bail bonds in terms of the above-



mentioned order shall not be delayed for purpose of or in the
name of verification.

(Dr. Anshuman, J)

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