

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24038 of 2026

Arising Out of PS. Case No.-1029 Year-2025 Thana- PIRBAHOR District- Patna

Mukesh Kumar S/o- Vindeshwar Ray @ Dineshwar Ray Resident of -
Nayagaon, P.S.- Pirbahore , Patna , Dist - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munna Raj

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-04-2026 1. Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Pirbahore Police Station Case No. 1029 of 2025, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 19.12.2025, police acting on secret information reached the spot from where the accused fled, leaving behind a container. Local people identified him as Mukesh Kumar/petitioner. Upon search of the container, police recovered 4 litres of country-made liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated due to personal enmity with neighboring shopkeepers and bias of the police, who opposed his cart business. Petitioner was not present at the alleged place of occurrence. Petitioner has been



made accused on the basis of disclosure of his name made by local people.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that liquor has been recovered from the container present in the open place and petitioner has been made accused on the basis of disclosure of his name made by local people, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-2, Patna, in connection with Pirbahore Police Station Case No. 1029 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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