

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27572 of 2026

Arising Out of PS. Case No.-129 Year-2026 Thana- MALSALAMI District- Patna

Binda Lal Son of Tejan Ray R/o Village - Rikabganj, Simli, Murarpur, P.S.-
Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-04-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Malsalami P.S. Case no. 129 of 2026 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 157 litres of country liquor was recovered while one of the accused managed to escape, one another was caught. The person who was caught disclosed the name of the person who had managed to escape as Amit Kumar.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been falsely implicated in the case for the reason that he happens to be the registered owner of the vehicle/motorcycle which was seized at



the place of occurrence. The petitioner has no criminal antecedent nor any connection with the seized liquor. He undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not being amongst the two accused persons named in the FIR but having been implicated only for the reason that he happens to be the registered owner of one of the vehicles in question and specially his not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Malsalami P.S. Case no. 129 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court of Excise, Patna City, Patna on the following conditions:

(i) In case it subsequently transpires that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016, the prosecution will be at liberty to move this Court for



cancellation of bail of the petitioner.

(ii) The petitioner shall cooperate in the investigation/
trial.

(Partha Sarthy, J)

saurovkrishna/-

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