

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35090 of 2026**

Arising Out of PS. Case No.-195 Year-2026 Thana- MALSALAMI District- Patna

Pancha Rai @ Pancha Kumar S/o Chanarika Rai R/o vill - Patthar Ghat, P.S.-  
Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Ranjan, Adv

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

**CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR**

ORAL ORDER

2      21-05-2026      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Malsalami P.S. Case No. 195 of 2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant got an information that this petitioner was assembling liquor near Patthar *ghat*, upon such information the police reached the spot, a person who was carrying sack on his head tried to flee and ultimately succeeded in fleeing after throwing the sack away. It has further been alleged that 150 liters of country made liquor were recovered from the jute sack.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that the allegations against the petitioner have arisen out of a dispute with local persons, who have falsely implicated him. The search and seizure



have not been done as provided under Section 103 and 105 of the BNSS. It has further been submitted that the place from which the recoveries have been made does not belong to the petitioner. It has lastly been submitted that the petitioner is an accused in one another case of similar nature but he is on bail in that case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail 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 court concerned, in connection with Malsalami P.S. Case No. 195 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

niku/rajesh/-

**(Praveen Kumar, J)**

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