

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41806 of 2026

Arising Out of PS. Case No.-166 Year-2026 Thana- MALSALAMI District- Patna

Ramesh Rai @ Ramesh Yadav S/o Harish Chandra Rai Resident Of Village-
Nuruddinganj, P.s- Malsalami, Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arvind Prasad Singh, Advocate
For the Opposite Party : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Malsalami P.S.

Case No.166 of 2026 registered under Section 30(a) of

Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 192 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the name of petitioner arrayed solely for

the reason that the recovery of alleged liquor was made



from the house and godown of petitioner. It is also submitted by learned counsel for the petitioner that the godown from where the alleged liquor was recovered is a joint property of petitioner and co-accused Bittu Kumar. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in six more criminal cases, where he is on bail in five cases and one case is pending against him of Malsalami P.S Case No. 156 of 2026.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on 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 Special Judge Excise, Patna City,
in connection with Malsalami P.S. Case No.166 of 2026,
subject to the conditions as laid down under Section 438(2)
of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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