

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.493 of 2026

Arising Out of PS. Case No.-151 Year-2016 Thana- MIRGANJ District- Gopalganj

Mukesh Kumar Son of Nathuni Prasad Resident of Village- Purv Mohalla,
Mirganj, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Ranjan, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mirganj PS Case No. 151 of 2016 instituted for the offences
under Section/s 47(a), 47(g) of the Bihar Prohibition and Excise
Act and Sections 272, 273 & 420 of the Indian Penal Code (for
short 'IPC').

3. The prosecution case, in short, is that 12.600 liters
liquor was recovered from the possession of the petitioner while
travelling in a bus.

4. The present one is the case of misuse of privilege
of bail. Learned counsel for the petitioner submits that petitioner
was granted bail by the Court below on 14.09.2016 and his bail



bonds were cancelled on 18.09.2023 due to non-pairvy. Thereafter, non bailable warrant was issued against the petitioner, pursuant to which petitioner surrendered in the Court below on 01.11.2025. It is next submitted that charges in this case have been framed on 18.11.2023. Learned counsel for the petitioner lastly submits that the petitioner undertakes to abide by all conditions as may be imposed by this Hon'ble Court.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mirganj PS Case No. 151 of 2016, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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