

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5340 of 2026

Arising Out of PS. Case No.-742 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Rahul Kumar S/o Krishna Paswan Resident of Village - Ramdihra Ward No. -
08, P.S - Shiv Sagar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Prohibition and Excise PS Case No. 742 of 2025 instituted for
the offences under Section/s 30(a), 32(i)(iii), 41(i)(ii) & 44 of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 15.920 liters
liquor was recovered, out of which 7.920 liters was wrapped
around the body of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that recovery is planted by the police party. The petitioner is in custody since 11.12.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

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 Prohibition and Excise PS Case No. 742 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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