

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12681 of 2026**

Arising Out of PS. Case No.-32 Year-2026 Thana- Excise P.S. District- Buxar

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Maula Rajak @ Mala Rajak S/O Late Moharram Rajak @ Late Moharram  
Yadav Resident of Village- Neharu Nagar, Police Station- Buxar Town,  
District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                              |
|----------------------------|---|------------------------------|
| For the Petitioner/s       | : | Mr. Amit Pandey, Advocate    |
|                            |   | Mr. Rakesh Kumar, Advocate   |
|                            |   | Mr. Ashutosh Kumar, Advocate |
| For the Opposite Party/s : |   | Mrs. Shaheen Begum, APP      |

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

ORAL ORDER

2      24-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Buxar  
Excise P.S. Case No. 32 of 2026 instituted for the offences  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act.

3. The prosecution case, in short, is that total 4.5 litres  
of liquor has been recovered from the petitioner.

4. Learned counsel for the petitioner submitted that the  
petitioner is innocent and has falsely been implicated in the  
present case by the police party. The petitioner has got no  
concern with the alleged recovery of liquor. The petitioner is in



custody since 29.01.2026 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 as also 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/- ( Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar Excise P.S. Case No. 32 of 2026, 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)**

Alok Verma/-

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