

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14037 of 2026

Arising Out of PS. Case No.-101 Year-2025 Thana- Excise Mashrakh District- Saran

Shailesh Rai @ Shailesh Yadav S/o- Gyanchand Rai @ Gyanchandra Rai R/o
Village- Gaura Bawan P.S- Gaura, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashad, Advocate

For the Opposite Party/s : Ms.Rina Sinha, A.P.P.

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Excise Mashrakh P.S. Case No. 101 of 2025, instituted for
the offences under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 90 litres
of liquor was recovered from straw house.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case as owner of
the straw house. The alleged recovery has been made from open
place, which is accessible to public at large. The petitioner has
got no concern with the alleged recovery of liquor. The



petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner.

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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Excise Mashrakh P.S. Case No. 101 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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