

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15269 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- Excise P.S. District- Rohtas

RAJA BABU KOL @ RAJA BABU S/o- Panna Kol R/v- Tarachandi Colony
Ps- Darigaon Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam Aniket, Advocate
For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2026 Heard Mr. Shivam Aniket, learned counsel for the
petitioner and Mr. Sanjay Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
07.01.2026, in connection with Excise P.S. Case No. 09 of 2026
(Excise Case No. 62 of 2026), F.I.R. dated 06.01.2026
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition & Excise Act, 2018.

3. Recovery is of 130 litres of country made liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offence as alleged in the F.I.R.
As per allegation in the F.I.R. that altogether 130 litres of illegal



country liquor was recovered from the possession of the petitioner. He further submits that from perusal of the seizure list it appears that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the motorcycle in question does not belong to the petitioner and the petitioner is in custody since 07.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, 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 learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram in connection with Excise P.S. Case No. 09 of 2026 (Excise Case No. 62 of 2026), subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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