

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17864 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- Excise Jhanjharpur District- Madhubani

Rajesh Kumar @ Rakesh Kumar S/o Ram Kumar Yadav R/o Village - Surha,
Ward no. 07, P.S - Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jhanjharpur (Excise) P.S. Case no. 7 of 2026 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 82.5 litres of liquor is said to have been recovered from the premises of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or his premises. Accepting the allegations levelled in the FIR, the alleged place of recovery is an open place which cannot be said to be under the exclusive lock and key of the petitioner. The petitioner is in custody



since 10.1.2026 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, his being in custody since 10.1.2026 and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Jhanjharpur (Excise) P.S. Case no. 7 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Court Excise, Jhanjharpur, Madhubani on the following condition:

(i) In case it subsequently transpires that the petitioner has criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the prosecution will be at liberty to move this Court for cancellation of bail granted to the petitioner.

(Partha Sarthy, J)

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