

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16626 of 2026

Arising Out of PS. Case No.-236 Year-2025 Thana- Excise Benipatti District- Madhubani

Md. Husen Rain @ M.D. Husaun @ Hasan Rain S/o Israil Rain R/o Village-
Phulhar, P.S.- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar @ Ashok Karn, Advocate

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

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

ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Benipatti Excise PS Case No. 236 of 2025 instituted for
the offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 360
litres of liquor was recovered from three motorcycles.

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 being owner
of one of the motorcycles. 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. Other co-accused has been granted bail by this Court vide order dated 27.01.2026, passed in Cr. Misc. No. 3879 of 2026.

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 Benipatti Excise PS Case No. 236 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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