

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15499 of 2026

Arising Out of PS. Case No.-175 Year-2024 Thana- GANGABRIDGE District- Vaishali

Rajesh Kumar @ Kumar Rajesh, aged about 36 years, Male, Son of Awadhesh Singh @ Awdhesh Singh @ Awdhesh Prasad Singh @ Abadhesh Singh, Resident of Village-Sahdullahpur, P.S. Ganga Bridge, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 19-05-2026 Learned counsel for the petitioner and learned APP
for the State heard through virtual mode.

2. The petitioner seeks bail in connection with Ganga Bridge P.S. Case No. 175 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation in the FIR, total 127.460 liters of Indian made Foreign Liquor was recovered behind the hut of co-accused persons and the local Chowkidar disclosed the name of fleeing persons including this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of suspicion. He submits that total 127.460 liters of Indian made



foreign liquor was recovered behind the hut of co-accused persons including this petitioner. He further submits that nothing incriminating articles has been recovered from the conscious possession of the petitioner and he has been made accused only on the basis of disclosure made by a Chowkidar. He next submits that there is no specific accusation against this petitioner. Petitioner is in custody since 04.02.2026.

5. Learned APP for the State opposes the prayer for regular bail of this petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned Exclusive Special Excise Court No. 1-cum-District and Additional Sessions Judge, Vaishali at Hajipur, dated 18.02.2026, it appears that petitioner is named in the FIR and his name transpired in this case during the course of investigation only on the basis of disclosure made by Chaukidar. From perusal of the records, it also appears that on the basis of written report of the informant namely Mintu Kumar, Assistant Sub-Inspector of Police, FIR has been registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 against co-accused persons including the present petitioner and the allegation is of recovery of Indian made Foreign Liquor. It also appears that there is no



any independent witness of the seizure list, petitioner is in custody since 04.02.2026, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum-District and Additional Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 175 of 2024.

(Ramesh Chand Malviya, J)

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