

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18464 of 2026

Arising Out of PS. Case No.-570 Year-2025 Thana- KHAJEKALA District- Patna

Gulshan Kumar S/o Arun Rai @ Arun Ray R/o Mohalla- Ghagha Gali, P.S-
Khajekalan, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 25-03-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Khajekalan P.S. Case No. 570 of 2025 for allegedly having committed offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, while the informant was on patrolling duty, he received secret information that one person is going to sale foreign liquor on a scooty. When the informant reached near the Mouri Gali, he saw one person fleeing away, leaving Scooty No. BR01HB3432. It was further alleged that in presence of the witnesses, the scooty was seized and while the said scooty was being seized, another Scooty bearing registration no. BR01CH3149 was also searched from



where 1.800 litres of the foreign liquor was recovered.

4. The learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner and even from the scooty bearing registration no. BR01HB3432, which belongs to the petitioner, rather the recovery has been made from another scooty, bearing registration no. BR01CH3149. While preparing the seizure list, the provisions contained under Section 103 of the B.N.S.S. was not followed. The petitioner is having no criminal antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the learned counsel for the parties, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Patna City in connection with Khajekalan P.S. Case No. 570 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned 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 concerned shall take steps 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.

(Ritesh Kumar, J)

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