

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18574 of 2026

Arising Out of PS. Case No.-524 Year-2025 Thana- JANDAHA District- Vaishali

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Rajan Kumar Jha S/o Surendra Jha Resident of Village- Sibipatti, P.S.-
Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr.Anish Kumar, learned counsel for the
petitioner and Mr.Rabindra Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
10.12.2025 in connection with Jandaha P.S. Case No. 524 of
2025, F.I.R. dated 09.12.2025 registered for the offence
punishable under Sections 30(a),36 of Bihar Prohibition and
Excise Act.

3. Recovery is of 1364.250 liters of IMFL.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. Further submits
that it appears from the FIR as well as the seizure list that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the Truck in
question and petitioner has been made accused in the present



case merely on the ground that the petitioner was Driver of the Truck in question. Learned counsel for the petitioner submits that petitioner has no concern at all with the alleged recovery of illicit liquor and there is non-compliance of Section 103 of BNSS, 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.12.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner and there is non-compliance of Section 103 of BNSS, 2023, let the petitioner, above named, 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 learned Exclusive Special Excise Court No.1-cum-District and Additional Sessions Judge, Vailshali at Hajipur in connection with Jandaha P.S. Case No. 524 of 2025, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) 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 antecedent, 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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