

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18412 of 2026

Arising Out of PS. Case No.-298 Year-2025 Thana- MAKER District- Saran

Rahul Kumar @ Rahul Sahni S/o Paspati Sahni Resident of Village- Dihi
Siroman (Badi Chak), P.S.- Maker, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Ashok Kumar, learned counsel for the

petitioner and Ms. Sucheta Yadav, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.01.2026 in connection with Maker P.S. Case No. 298 of
2025, F.I.R. dated 29.12.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 220 liters of country made liquor and
a 15 kg empty gas cylinder.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has



been made from Barichak Diyar Dihi Siroman which is an open place and the petitioner has been made accused merely on the basis that he escaped from the place of occurrence and due to his previous criminal antecedents and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and the petitioner is in custody since 25.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that altogether 220 liters of country made liquor has been recovered from the place of occurrence and petitioner escaped from the place of occurrence and apart from that the petitioner carries five criminal antecedents but fairly submits that he is on bail in all the cases.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Excise Court No.03, Saran(Chapra) in connection with Maker P.S. Case No. 298 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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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