

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20832 of 2026

Arising Out of PS. Case No.-231 Year-2026 Thana- Excise P.S. District- Patna

Rajiv Kumar S/O Ravindra Rai Resident of Balwan Tola, Ward No.- 7, P.S-
Doriganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30 (a), 32 and 41 (1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that a total of 250.560 litres of illicit foreign liquor was recovered from a boat.

4. It is further submitted that that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the alleged recovery was not made from the conscious possession of the petitioner, but from a boat. It is further submitted that the witnesses to the seizure list are police personnel, and the mandatory provisions of Section 105 of the B.N.S.S. have not been complied with. It



is also submitted that the petitioner has criminal antecedent of only one case and is in custody since 03.02.2026.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Patna Case No. 231 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise -III, Patna.

(Ashok Kumar Pandey, J)

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