

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21002 of 2026

Arising Out of PS. Case No.-76 Year-2025 Thana- RAJAOLI District- Nawada

Ashiq Rajvanshi @ Ashiq Kumar S/O Shaukhi Rajvanshi R/O Vill.- Dariya
pur, (Amanwa) P.s.- Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate
For the State : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Amit Ranjan, learned counsel for the
petitioner and Mr. Bhanu Pratap Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
31.01.2026, in connection with Rajauli P.S. Case No. 76 of 2025,
F.I.R. dated 14.02.2025 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. Recovery is of 199.5 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely 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 recovery has been
made from the motorcycle in question and altogether 199.5 litres of
country made liquor was recovered from the motorcycle in



question. He further submits that the petitioner is neither the owner nor the driver of the motorcycle in question and the petitioner has no concern at all with the alleged recovery of illicit liquor and he has been made accused on the basis of disclosure made by apprehended co-accused person, namely, Mithlesh Rajwanshi who has disclosed that the petitioner has fled away from the place of occurrence and there is non-compliance of Section 103 a of BNSS, 2023. He further submits that co-accused person, namely, Mithlesh Rajwanshi has been granted bail by a Coordinate Bench of this Court passed in Cr. Misc. No. 30372 of 2025 and the petitioner is in custody since 31.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused person and said co-accused has been granted bail by a Coordinate Bench of this Court and there is non-compliance of Section 103 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-2, Nawada in connection with Rajauli P.S.



Case No. 76 of 2025, subject to the following conditions :-

(1) 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.

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

(3) 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 antecedents, 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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