

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20863 of 2026

Arising Out of PS. Case No.-829 Year-2025 Thana- RAJIVNAGAR District- Patna

Rajeev Kumar Sharma @ Bablu S/o Dinanath Kunwar R/o Mohalla - Rajeev Nagar, Road No. 24, P.S - Rajeev Nagar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Pramod Kumar Singh, learned counsel

for the petitioner and Ms. Renuka Ratnakar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 24.12.2025 in connection with Rajeev Nagar P.S. Case No. 829 of 2025, F.I.R. dated 23.12.2025 for the offences punishable under Section 30(a) and 41 of the Bihar Prohibition and Excise Act and Section 303(2) of BNS, 2023.

3. Recovery is of 122.25 liters of Indian made foreign liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that it appears from the FIR as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather the recovery of 122.25 liters of Indian made foreign liquor has been made from the vehicle in question. The petitioner has been made accused merely on the basis of suspicion and petitioner is neither the owner nor the driver of the vehicle in question. He further submits that the owner of the vehicle is one Abhay Kumar Singh and petitioner has no concern at all with the alleged recovery of the illicit liquor or the vehicle in question. He further submits that there is non-compliance of Section 103/105 of the BNSS, 2023. He further submits that the police after investigation submitted a charge sheet against the petitioner. The petitioner is in custody since 24.12.2025.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent of similar nature other than the present one.

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner, petitioner is not the owner of the vehicle in question and there is non-compliance of Section 103/105 of the 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 the learned



Special Judge Excise-1, Patna in connection with Rajeev nagar
P.S. Case No. 829 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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