

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21106 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- Excise P.S. District- Kaimur (Bhabua)

Rakesh S/O Sunera Resident of R/O Village- Gorar (52-R), P.S- Kharkhoda,
Distt.- Sonipat, Hariyana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan, Advocate
For the Opposite Party/s : Mr. Nityanand, 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 bail in connection with Bhabhua Excise P.S. Case No.68 of 2026 registered for the offence punishable under Sections 30(a), 32(i)(iii) & 41(i)(ii) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that altogether 225 liters of illicit foreign liquor was recovered from a car.

4. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is driver of the vehicle. Learned counsel for the petitioner has further submitted that the petitioner was unaware of the alleged liquor in the vehicle. It has further been submitted that nothing has been recovered from the possession of this petitioner. Learned



counsel for the petitioner has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioner has further submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 08.02.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Judge (Excise)-II, Kaimur at Bhabhua in connection with Bhabhua Excise P.S. Case No.68 of 2026.

(Ashok Kumar Pandey, J)

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