

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23296 of 2026

Arising Out of PS. Case No.-398 Year-2026 Thana- AHYAPUR District- Muzaffarpur

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Raja Kumar, S/O Ram Prasad Paswan, R/O Village- Patiyasa, P.S- Garha,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 398 of 2026 dated 24.02.2026
registered for the offence punishable under Sections 30(a)
and 41 of the Bihar Prohibition and Excise Act, 2022.

3. The allegation is of recovery of 857.52 litres
foreign liquor from two goods carriage Tempo. The
petitioner is the Driver of one of the seized Tempo.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in
this case. It is submitted that nothing has been recovered
from conscious possession of the petitioner, rather the
recovery of 857.52 litres of foreign liquor has been
recovered from two goods carriage Tempo. It is further



submitted that one of the Driver of the seized Tempo has been granted bail *vide* order dated 24.03.2026 passed in Criminal Miscellaneous No. 18384 of 2026 by a co-ordinate Bench of this Court. Further, it is submitted that there is non-compliance of Sections 103 and 105 of the B.N.S.S., 2023. The petitioner is in custody since 25.02.2026, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Excise Court No. 1, Muzaffarpur in connection with Ahiyapur P.S. Case No. 398 of 2026.

(Khatim Reza, J)

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