

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26220 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- R S P.S. District- Araria

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Rahil Sah @ Rahil Shah S/o- Firdosh Sah Resident of Village- Rajokhar ward
No- 03 PS- RS, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2026 Heard Mr. Gopal Kumar Jha, learned counsel for

the petitioner and Mr. Narsingh Tanti, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.01.2026 in connection with R.S. P.S. Case No. 11 of 2026,
F.I.R. dated 16.01.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 200 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
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
the recovery of 200 liters of country made liquor has been made



from the tempo in question and petitioner is not the owner of said vehicle in question and he has no concern at all with the illicit liquor or the vehicle in question. He further submits that from perusal of the seizure list it appears that the seizure list witnesses are the police personnel so there is non-compliance of Section 103/105 of the BNSS, 2023. He further submits that the police after investigation submitted charge sheet against the petitioner. The petitioner is in custody since 16.01.2026.

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

6. Considering the aforesaid facts and circumstances, 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 Exclusive Special Judge Excise Court-I, Araria in connection with R.S. P.S. Case No. 11 of 2026 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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