

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27885 of 2026

Arising Out of PS. Case No.-172 Year-2022 Thana- RAJEPUR District- East Champaran

Rajesh Rai @ Rajesh Kumar Yadav S/o Rambabu Yadav @ Rambabu Rai R/o
Village - Faajilpur, P.S - Rajepur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon

For the Opposite Party/s : Ms. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 272, 273, 420, 467, 468, 120(b) of the IPC and Sections 30(a), 32, 36, 41 of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that petitioner has antecedent of ten cases, out of which, one case is under the Excise Act and allegation is of recovery of 1845 litres of liquor from four different vehicle. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of any of the seized vehicle and he came to be implicated based on confessional statement of Ranjit in police custody which does not have any evidentiary value. It is also submitted that after amendment in the Excise Act in the year 2018, the concept of



deemed possession and presumed offender has been done away with and petitioner is in custody since 18.01.2026 and charge sheet has been submitted. It is also submitted that if privilege of bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

4. Learned A.P.P. opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rajepur P.S. Case No.172/2022.

6. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge is trying to delay the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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