

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30339 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- Chakki District- Buxar

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Rakesh Kumar Srivastwa @ Rakesh Kumar Sriwastav S/o- Yogendra Prasad
Srivastwa @ Yogendra Prasad Sriwastav @ Yogendra Prasad Resident of
Village- Sahiyar Police Station- Simri District-Buxar, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate.

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The case of the prosecution, in short, is that from
the possession of this petitioner who was driving bike,
altogether 09 liters of illicit country-made foreign liquor was
recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He also submits that nothing has been recovered from the



possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioner is languishing in judicial custody since 26.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of one case.

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 learned Exclusive Special Excise Court-II, Buxar in connection with Chakki P.S. Case No. 22 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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