

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29146 of 2026

Arising Out of PS. Case No.-70 Year-2026 Thana- RAXAUL District- East Champaran

1. Vikash Kumar @ Vikash Kumar Yadav S/O Pana Lal Rai R/O Village- Bairo Bhagat Tola Siswa, Ward no. 2, P.S- Raxaul, District- East Champaran, Motihari.
2. Ajay Rai @ Ajay Kumar Yadav S/O Shriniwash @ Shikhar Rai R/O Village- Bairo Bhagat Tola Siswa, Ward no. 2, P.S- Raxaul, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-05-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Raxaul P.S. Case No. 70 of 2026 registered for the offences punishable under Section Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 30 litres of IMFL/country made liquor



4. It is submitted by learned counsel appearing on behalf of the petitioners that both petitioners implicated with present recovery of illicit liquor on the basis of secret information. It is submitted that admittedly the recovery was not made from the conscious physical possession of these petitioners. While concluding arguments, it is submitted that petitioner no. 1 found involved in three more criminal cases and petitioner no. 2 found involved in one more criminal case where they are on bail.

5 Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of alleged illicit liquor *prima-facie* not appears to be made from the conscious physical possession of these petitioners, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with



two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Excise Court no. 3 I/C Civil Court, East Champaran, Motihari /concerned Court, where the case is pending in connection with Raxaul P.S. Case No. 70 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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