

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31623 of 2026

Arising Out of PS. Case No.-113 Year-2026 Thana- Excise P.S. District- Begusarai

Rajesh Yadav @ Rajesh Kumar@ Rajesha Kumar, Son of Late Bhuto Yadav,
Resident of Village- Makash Pur ward no.12, P.S.- Cheriabariyarpur,
District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Excise P.S. Case No.113 of 2026 registered for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from an oil tanker 1123.200 liter of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that nothing has been recovered from the possession of this petitioner. It has further been submitted that the petitioner is merely a driver and the tanker was handed over to him by one Alok Paswan and Kunal Kumar. The



petitioner was unaware of the liquor in the tanker. It has further been submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. It has further been submitted that the petitioner is in judicial custody since 09.03.2026 having no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

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 court of learned Exclusive Special Excise Judge-II, Begusarai, in connection with Excise P.S. Case No.113 of 2026.

(Ashok Kumar Pandey, J)

Durgesh/-
Rohit/-

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