

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32545 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- BALTHAR District- West Champaran

Rahul Kumar, S/o Kanhaiya Prasad, Resident of Village- Kudwa Mathiya
(Turah Patti), P.S.- Sirisiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioner and
learned APP for the State through Video Conferencing.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 274, 275 of the B.N.S. and Section 30(a) of Bihar Excise and Prohibition Act.

3. The case of the prosecution in brief is that, altogether 288 liters of Nepali country made liquor was recovered from the vehicle.

4. Learned counsel for the petitioner submits that, nothing has been recovered from the possession of this petitioner. It is also submitted that all the witnesses to the seizure list are police personnel, and the police have not complied the mandatory provisions of Section 105 of the



B.N.S.S. while making the Seizure List. It has further been submitted by the learned counsel of the petitioner that the petitioner is merely a driver of the said vehicle and he is having no knowledge regarding the same. Learned counsel for the petitioner further submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that petitioner is having one criminal antecedent and that is not of similar nature. He is in custody since 27.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of the regular bail.

6. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above-named petitioner is directed to be released on bail in connection with Balthar P.S. Case No. 39 of 2026 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran/concerned Court.

(Ashok Kumar Pandey, J)

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