

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35896 of 2026

Arising Out of PS. Case No.-156 Year-2026 Thana- Excise P.S. District- Khagaria

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Gopal Singh @ Gopal Singh Rawat son of Uday Singh Rawat Resident Of
Village- Khanpura, Panchayat Bhatauli, Ps- Nikumbh, Dist -Chittorgarh, State
- Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a), 32(3) and 41 of the
Bihar Prohibition and Excise Act, 2016.

3. Perusal of the first information report and the seizure
list would go to show that 2954.880 liters of foreign liquor is
said to have been recovered from a truck concealed under the
Kurkure snacks.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious or physical
possession of the petitioner. The petitioner happens to be the
driver of the truck in question and he had no knowledge of



keeping of the said liquor in the truck. He was plying the truck at the instruction of his owner. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. Petitioner has been languishing in custody since 02.03.2026.

5. Taking into consideration the fact and circumstances of the case and also considering the fact that the petitioner was driving the truck on the instruction of his owner without knowing the contents loaded thereon, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Khagaria Excise P.S. Case No. 156 of 2026, subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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