

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35828 of 2026

Arising Out of PS. Case No.-191 Year-2025 Thana- RAHIKA District- Madhubani

Prashant Kumar Singh Son of Brij Kishor singh @ Vrij kumar singh Resident
of village -Dumari P.S -Rahika District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 26-05-2026 Heard the learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Rahika P.S. Case No. 191 of 2025 for allegedly having
committed offence under Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant, to
the effect that on 22.08.2025, while the informant was on
patrolling duty with police personnel, she got a secret
information that one Mohammad Alam was selling illicit liquor
on an E-Rickshaw. To verify the authenticity of the said
information, the informant along with the police personnel
reached the place of occurrence. Upon seeing the police party,



one person started fleeing away, however on chase, the said person was apprehended, who disclosed his name as Mohammad Alam and thereafter the E-Rickshaw was seized from which total 108 litres of Nepali liquor was recovered. On the disclosure made by the arrested person, the police also went to seize one another E-Rickshaw, however upon seeing the police party, one person managed to escape. From the another E-Rickshaw, total 133 litres of the illicit Nepali liquor was also seized. Total seizure was made to the tune of 241 litres.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The name of the petitioner has transpired in the present case, since he happens to be the owner of one E-Rickshaw from which 108 litres of illicit Nepali liquor is alleged to have been seized. The learned counsel for the petitioner further submits that the petitioner had given the E-Rickshaw in question to co-accused, Mohammad Alam for running the same and the petitioner used to collect daily amount from him. The petitioner has got no knowledge about the storage of illicit liquor on the said E-Rickshaw and the petitioner is running E-Rickshaw for his livelihood. He further submits that the petitioner has got a clean antecedent.



6. *Per contra*, the learned APP appearing on behalf of the State opposes the prayer for bail of the petitioner.

7. Having considered the rival submissions and after going through the records, it appears that 108 litres of Nepali liquor was recovered from the E-Rickshaw, which is said to be owned by the petitioner. The petitioner was not present at the place of occurrence and his name transpired in the present case, since he was the owner of the one of the E-Rickshaw. The petitioner has got a clean antecedent and nothing has been recovered from his possession.

Considering the aforesaid facts, let the petitioner above-named, in the event of his arrest or surrender within a period of six weeks, be released 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 Exclusive Special Judge Excise, Madhubani in connection with Rahika P.S. Case No.191 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the



court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/Pallavi

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