

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36691 of 2026

Arising Out of PS. Case No.-85 Year-2026 Thana- TEKARI District- Gaya

Rajnish Kumar Son of Ajay Kumar Resident of Village- Balwaper, P.S.-
Shakurabad, District- Gaya Ji

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Tekari P.S. Case No. 85 of 2026 registered for the offences punishable under Sections 30(a) and 45 of the Bihar Prohibition and Excise Amendment Act, 2018 and Sections 190, 126(2), 132, 127(2), 115(2), 109(1), 324(4) and 324(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The allegation against the petitioner is to have in possession of 241.500 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner alleged to act as a liner



as to escort the vehicle carrying consignment of illicit liquor. It is pointed out that admittedly the petitioner was not connected in any manner either with the truck or with the recovered illicit liquor. It is further submitted that alleged illicit liquor was not recovered from conscious physical possession of this petitioner. While explaining criminal antecedent of the petitioner, it is submitted that petitioner found involved in one more case of similar nature in which he is on bail.

5. Learned A.P.P. for the State has opposes the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No. 2, Gaya Ji/concerned court in connection with



Tekari P.S. Case No. 85 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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