

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36666 of 2026

Arising Out of PS. Case No.-449 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Ajay Rai Son of Jalandhar Rai Resident of Village- Barkurwa, P.S.-
Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-06-2026 Heard Mr. Amit Kumar, learned counsel for the

petitioner and Mr. Suresh Prasad Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.04.2026 in connection with Piparkothi P.S. Case No. 449 of
2025, F.I.R. dated 29.12.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018 and
Section 274, 275, 123, 110 of Bhartiya Nyay Sanhita, 2023.

3. Recovery is of 50 liters of “Sprite” liquor and 100
liters of country-made distilled liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather the recovery has been made from house in question and wife of the petitioner has also been made accused in the present case. As per allegation, 50 liters of “Sprite” liquor and 100 liters of country-made distilled liquor were recovered from the house of the petitioner. He next submits that petitioner is not the absolute owner of the house in question and for the same set of allegation co-accused, namely, Rupanti Devi, who is wife of the petitioner has been granted the privilege of bail in Cr. Misc. No. 12416 of 2026 vide order dated 24.02.2026 by a co-ordinate Bench of this Court. The petitioner is in custody since 06.04.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, East Champaran, Motihari in



connection with Piparkothi P.S. Case No. 449 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below 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 below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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