

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39383 of 2026

Arising Out of PS. Case No.-105 Year-2025 Thana- PIPRA District- Patna

Rahul Kumar son of Ravindra Singh @ Ravindra Prasad Resident of Village -
Hawaldar Chak, Ps- Dhanarua, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr. Aditya Kumar Pandey, learned counsel for
the petitioner and Mr. Akbar Ali, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
18.04.2026, in connection with Pipra P.S. Case No. 105 of 2025,
F.I.R. dated 15.12.2025 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. Recovery is of 250.00 litres of illicit liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that recovery has been made from the
Tempo in question and the petitioner has been made accused in
the present case merely on the ground that the petitioner is the
owner of the Tempo in question. In fact, the petitioner had given



the Tempo in question to Super Cloud Private Limited as per agreement dated 17.12.2024 and petitioner has no concern at all with the alleged recovery of illicit liquor. It appears from the seizure list that the seizure list witnesses are police personnel so there is non compliance of Section 103 and 105 of the B.N.S.S. and the petitioner is in custody since 18.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner as well as there is non compliance of Section 103 and 105 of the B.N.S.S. , let the petitioner, above named, 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 learned Exclusive Special Excise Judge-2, Patna, in connection with Pipra P.S. Case No. 105 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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