

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38146 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- MANER District- Patna

Rajesh Kumar Son of Dinesh Prasad Yadav R/v- Daldali Road, P.s- Danapur,
Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate
For the State : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with
Maner P.S. Case No. 86 of 2026 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The petitioner is the owner of E-rickshaw from
which 27 liters of illicit liquor has been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is the owner of the E-rickshaw and the same has been
misused by the driver.

5. It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and he has falsely been
implicated in this case. The petitioner claims that he is not
accused in any case under the Excise Act.



6. Learned counsel for the petitioner submits that the petitioner is ready to donate Rs. 10,000/- in some charitable organization without accepting his guilt.

7. Considering the aforesaid fact, this application is allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, 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 Judge, Excise, Danapur, Patna/ concerned Court below in connection with Maner P.S. Case No. 86 of 2026, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

9. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 10,000/- in Ramakrishna Mission Ashrama, Ramakrishna Avenue, Nala Road Patna and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

10. Furthermore, as the petitioner claims to have only



one criminal antecedent under the Bihar Prohibition and Excise Act, i.e., Maner P.S. Case No. 86 of 2026, the Court below, before accepting the bail bonds of the petitioner is directed to verify the antecedent of the petitioner under the Excise Act. If the petitioner is found to be involved in any other case under the Excise Act except Maner P.S. Case No. 86 of 2026, then his bail bonds shall not be accepted.

11. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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