

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39146 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- KAMTAUL District- Darbhanga

1. Rahul Yadav @ Rahul Kumar Yadav Raj Kumar Yadav Resident Of Vill-
Ladha P.S.-Kamtaul Dist -Darbhanga
2. Subhash Kumar @ Subhash Yadav S/O- Shatrughan Yadav Resident of Vill.-
Postapur, P.S.- Koeti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Kamtaul P.S. Case No. 45 of 2026 dated 01.03.2026 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, altogether 17.280 liters of foreign liquor was recovered from a motorcycle, which Pankaj Choupal was found to be driving and from a bush nearby, altogether 380.160 liters of foreign liquor was recovered.



4. Learned counsel for the petitioners has further submitted that the name of the petitioners has transpired in this case in the confessional statement of co-accused Pankaj Choupal. It has further been submitted that petitioners were not arrested from the spot and nothing has been recovered from the conscious possession of the petitioners. It is further submitted that the motorcycle from which some recoveries have been made does not belong to the petitioners. It has further been submitted that procedure prescribed under Section 103/105 of the B.N.S.S. has not been followed with. It has further been submitted that except confessional statement of co-accused before police, while in police custody, there is no material against the petitioners. It has further been submitted that altogether petitioners were made accused in one another case, but the same is not of similar nature. It has lastly been submitted that the petitioners are in custody since 14.04.2026 and 06.05.2026, respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners.

6. Heard the parties and perused the records.

7. Considering the facts and circumstances of the case, the petitioners above-named are directed to be enlarged on



bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Kamtaul P.S. Case No.45 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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