

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38937 of 2026

Arising Out of PS. Case No.-177 Year-2023 Thana- BAHADURPUR District- Darbhanga

Rakesh Kumar Shrivastava @ Rakesh Srivastava S/O Late Shiv Nath Prasad Das @ Late Shiv Nath Prasad R/O Village- Bhojpurwa(Bhajpurwa),PS-Manjhagarh(Manjha), District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 30(a), 32(i)(ii), 30(b) and 41/62 of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases out of which one case is under the Excise Act and is in custody since 10.05.2026 and allegation is of recovery of 643.98 liters of liquor from a place behind the house of Ranjay and a motorcycle was seized.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the



owner of the seized vehicle and came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the period of custody, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Bahadurpur P.S. Case No. 177 of 2023.

(Satyavrat Verma, J)

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