

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42030 of 2026

Arising Out of PS. Case No.-141 Year-2026 Thana- Bhararhi District- Madhepura

Dilkhush Kumar S/O Raben Yadav @ Rabindra Yadav Resident of Vill.-
Jibachhpur, Ward no.- 7, P.S- Bharrahi, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bharrahi P.S. Case No. 141 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, on receiving information about the petitioner bringing illicit liquor with his associate, the petitioner was apprehended along with his associate and from the bag being carried on a motorcycle, recovery of 55 litres of country made Chulai liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the conscious possession of the petitioner and the recovery shown is planted. The mandatory provisions of search and seizure have not been followed. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 23.04.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I -cum- Special Court of Excise Act, Madhepura/concerned Court in connection with Bharrahi P.S. Case No. 141 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the



court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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