

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42886 of 2026

Arising Out of PS. Case No.-265 Year-2026 Thana- CHIRAIYA District- East Champaran

Rajesh Kumar S/o Pramod Sahni R/o Village - Bariyarpur Ward No. 43, P.S -
Chhatauni, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, 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 Chiraiya P.S. Case No. 265 of 2026 registered for the alleged offences under Sections 30(A) and 41(1) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, petitioner was apprehended transporting 82.8 liters of country made *Nepali* liquor in his e-rickshaw.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and nothing incriminating has been recovered from his person or possession. The petitioner was merely a passenger who was riding that e-rickshaw and when the driver left to



attend the call of nature, the petitioner was apprehended by the police party. The petitioner is neither owner nor driver of the said e-rickshaw and he has no concern with the seized liquor. Learned counsel further submits that the petitioner has got clean antecedent and is in custody since 27.04.2026.

05. Learned APP for the State 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 allegation and further considering the period of custody of the petitioner and his clean antecedent, 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 Exclusive Special Excise Judge-I, East Champaran, Motihar/court concerned in connection with Chiraiya P.S. Case No. 265 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and 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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