

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42979 of 2026

Arising Out of PS. Case No.-2667 Year-2026 Thana- Excise P.S. District- Patna

Rahul Kumar S/o Suresh Yadav, R/o Village - Marufganj, Pattharghat, P.S.-
Malsalami, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Nityanand Kumar, Advocate
For the State	:	Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Excise Patna P.S. Case No. 2667 of 2026 dated 27.04.2026, registered for the offences punishable under Sections 30(a), 41 and 56(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, petitioner was found transporting illicit liquor in a jute bag on a Scooty. While the petitioner was being apprehended, some other persons managed to flee leaving behind their Scooty vehicles and jute bags. On search of three Scooty vehicles and jute bags recovery of 540 litres of country made liquor was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely



been implicated in the present case. It is not clear from the FIR whether any illicit liquor was recovered from the Scooty of the petitioner or the jute bag said to be carried by the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has no concern either with the seized liquor or with the Scooty in question from where recovery has been shown. Learned counsel next submits that petitioner is having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 27.04.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, his period of custody in the background of nature of allegation, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise-III, Patna / concerned Court, in connection with **Excise Patna P.S. Case No. 2667 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial Court.

(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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