

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49894 of 2026

Arising Out of PS. Case No.-138 Year-2026 Thana- BARUN District- Aurangabad

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Raj Kumar Singh Son of Pramod Kumar Singh Resident of Village - Phuha,
P.S. - Purv Baburaha, District – Aurangabad. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashikant Yadav, Adv.

Ms. Deepika Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner as well as the

learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Barun P.S. Case No. 138 of 2026, registered for the
offences punishable under Sections 338, 336(3), 340(2) and 3(5)
of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. The prosecution case, in brief, is that acting on a secret
information, the police intercepted a *Vitara Brezza* car allegedly
driven by the petitioner, Raj Kumar Singh. During the search of
the vehicle, 335 bottles of Johnnie Walker Red Label Blended
Scotch Whisky (750 ml each), totaling 251.250 litres, were
allegedly recovered from the car. It is further alleged that the
vehicle was being used with forged number plates for illegal
transportation of liquor. The recovered liquor and the vehicle



were seized, the petitioner was arrested at the spot.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from conscious possession of the petitioner. He has further submitted that the petitioner was the driver and that he had no knowledge about the belongings kept by the passenger. He has also submitted that the provisions of Section 103 of the BNSS has not been complied with. He has next submitted that the petitioner is a person of clean antecedent and has been in judicial custody since 20.03.2026. He undertakes to cooperate with the investigation and trial as also, not to repeat the offence of similar nature.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Taking into account the entire facts and circumstances of the case, coupled with the fact that the petitioner is a person of clean antecedent, let the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum- Exclusive Special Judge, Excise Court No. 1, Aurangabad/concerned court



in connection with Barun P.S. Case No. 138 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the present one, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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