

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.473 of 2026

Arising Out of PS. Case No.-164 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Bashishth Rai @ Bashishtha Kumar Rai S/O Late Ram Bilash Rai R/O Ward
No.06, Govindpur, Rajapur, P.S- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through Inspector of Excise, Begusarai Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Case No. 164 C2 of
2020 instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 268.740 liters
liquor was recovered from ditch behind the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is



further submitted that recovery has been made from behind house of the petitioner and the same is an open place accessible to public at large. The petitioner is in custody since 06.12.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Case No. 164 C2 of 2020.

(Rudra Prakash Mishra, J)

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