

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58591 of 2026

Arising Out of PS. Case No.-256 Year-2026 Thana- Gaura P.S. District- Saran

Sharawan Kumar S/o Virendra Rai R/o Vill- Nabiganj, P.S.- Gaura, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Gaura P.S. Case No. 256 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the F.I.R., 267.330 litres of foreign liquor are alleged to have been recovered from the Bolero vehicle as well as from a Yamaha Motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is alleged to be the driver of the vehicle and that he had no knowledge of the article concealed therein. It is further submitted that the provisions of Section 105 of the B.N.S., 2023, have not been complied with.



5. It is further submitted that the petitioner has been made an accused in one another other case, as stated in paragraph-3 of the bail application, in which he is already on bail.

6. The petitioner is languishing in jail custody since 26.07.2026 and undertakes to cooperate in the trial and not to repeat the alleged offence.

7. Learned A.P.P. appearing on behalf of the State has opposed the application.

8. Taking into consideration the entire facts and circumstances of the case, 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 Court of 3rd Exclusive Special Excise Judge, Saran and Chapra, in connection with Gaura P.S. Case No. 256/2026, 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, they fails to do so on two



consecutive dates, unless they are prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If petitioner repeat the offence of similar nature, his bail bond shall be liable to be cancelled by Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the case as mentioned in para-3 of the bail petition, the bail bond of the petitioner will not be accepted.

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

(Raj Kumar, J)

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