

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58589 of 2026

Arising Out of PS. Case No.-556 Year-2026 Thana- Excise P.S. District- Siwan

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1. Chandan Kumar @ Chandan Kr. S/o Vishun Deo Rai @ Bishundeo Rai R/o Village - Samaspura, P.S. - Tisiautia, District - Vaishali.
 2. Chandan Kumar @ Chandan Kr. S/o Bijendra Ray R/o Village - Chakaje, P.S. - Tisiautia, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioners as well as learned A.P.P. on behalf of the State.

2. The Petitioners are accused in a case registered for the offences punishable under Sections 30(a), 32(1), 32(3), 41(1), 41(2) and 47 of the Bihar Prohibition and Excise Act, 2016 (as amended in 2018 and 2022).

3. As per the allegation made in the F.I.R., 1416 litres of illicit liquor has been recovered from a Mahindra Pick-Up Van.

4. Learned counsel for the petitioners submits that Petitioner No. 1 was working as a helper, whereas Petitioner No. 2 was the driver of the vehicle, and they had no



knowledge of the concealed articles or material allegedly kept in the Mahindra Pick-Up Van. It is further submitted that the provisions of Sections 103 and 105 of the B.N.S.S., 2023, have not been complied with. The petitioners are in custody since 08.07.2026. It is also submitted that the petitioners are accused in one other case each, in which they have already been granted bail.

5. Learned counsel for the petitioners undertakes on their behalf not to repeat the offence and shall cooperate in the trial.

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

7. Taking into consideration the entire facts and circumstances of the case, the petitioners above-named, are 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 Exclusive Special Excise Court-II, Siwan, in connection with Siwan Excise P.S. Case No. 556/2026, 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 petitioners 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 the petitioners repeat the offence of similar nature, their 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 petitioners and if the petitioners are found involved in any case other than the case as mentioned in para-3 of the bail petition, the bail bond of the petitioners will not be accepted.

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

(Raj Kumar, J)

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