

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3723 of 2026

Arising Out of PS. Case No.-846 Year-2025 Thana- Excise P.S. District- Siwan

Yash S/o Rakesh Resident of vill- Delhi Road ward no. 7, Kharkhoda Sonipat,
PS- Kharkhoda Dist- Sonipat Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, A.P.P.

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

ORAL ORDER

2 27-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Siwan Excise P.S. Case No. 846 of 2025, instituted for the offences punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 477 liters liquor was recovered from car. Petitioner was arrested on the spot.

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. Learned counsel



further submitted that the petitioner is driver of the vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 05.12.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise P.S. Case No. 846 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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