

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8581 of 2026

Arising Out of PS. Case No.-34 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Narmdeshwar Tiwari, Son of Late Ramswarup Tiwari, R/o Barwa (Tiwari Tola), P.S. - Pipra Kothi, Dist. - East Champaran, Correct Address R/o of village - Ashok Pakadi Tiwari Tola, P.S. - Pipra, Dist. - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Excise P.S. Case No.34 of 2021 registered for the offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise (Amended up-to-date) Act, 2016.

3. The accused/petitioner is named in the FIR and is in custody since 20.09.2025.

4. Allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where there is recovery of 2554 liters of Indian made foreign illicit liquor.



5. It is submitted by learned counsel appearing for petitioner that alleged recovery was made from abandoned vehicle, which was parked beside the road. It is submitted that admittedly the recovery was not made from physical possession of this petitioner. The seizure list also appears disputed being not supported by any independent witness. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as alleged recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 20.09.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned
Exclusive Special Excise Judge-2, East Champaran at Motihari
in connection with Excise P.S. Case No.34 of 2021, subject to
the conditions as laid down under Section 437(3) of the
CrPC/under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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