

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11149 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- SONEPUR District- Saran

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1. Vijay Kumar S/o Late Surendra Chaudhary
 2. Satis Kumar S/o Late Surendra Chaudhary
- Both are R/o Village -Gola Bazar Parveja Nahar, P.s.- Sonepur, Distt.- Saran
at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard Mr.Vijay Kumar, learned counsel for the
petitioners and Mr.Khurshid Anwar, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since
03.01.2026 in connection with Sonepur P.S. Case No. 10 of
2026, F.I.R. dated 02.01.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 178 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR that nothing has been
recovered from conscious possession of the petitioners rather
altogether 178 liters of country made liquor was recovered from



Parveja Nahar near Gola Market and petitioners have been made accused in the present case merely on the basis of suspicion. Petitioners were present at the place of occurrence, although the recovery has been made from the place of occurrence but there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioners are in custody since 03.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that petitioner No.1 carries two more cases other than the present one but he fairly submits that he on bail in both the cases, and petitioner No.2 has clean antecedent, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Judge, Excise, Saran at Chapra in connection with Sonepur P.S. Case No. 10 of 2026, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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