

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10465 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- SAHARGHAT District- Madhubani

Md. Atabul Nadaf @ Atabul Nadaf S/o Bechan Nadaf R/o - Gangaur, P.S -
Harlakhi, District - Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saharghat P.S. Case No. 01 of 2026 registered for the offences punishable under Sections 274, 275 and 3(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 135 litres of illicit Nepali liquor was recovered from the motorcycle which the petitioner was driving.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of being a driver of the said vehicle



from which the alleged liquor was recovered. It has further been submitted that the motorcycle does not belong to the petitioner and he has no concern with the said recovery. It has also been submitted that the procedure prescribed under Section 105 of the B.N.S.S. has not been followed. It has lastly been submitted that the petitioner has two criminal antecedents and is in custody since 06.01.2026.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstance of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj, in connection with Excise P.S. Case No. 821 of 2025, with condition(s):-

(i) the petitioner is directed to remain physically present before the learned Court below on each and every date, failure on two consecutive dates without reasonable cause, the bail bonds of the petitioner would be liable to be cancelled.

(ii) If the petitioner's involvement is found in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bonds.



7. The application stands allowed.

(Praveen Kumar, J)

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