

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10959 of 2026**

Arising Out of PS. Case No.-867 Year-2023 Thana- DARBHANGA SADAR District-  
Darbhanga

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Md. Faiyaz Ahmad Khan Son of Late Md. Neyaz Ahmad Khan Resident Of  
Adalatganj, Kamla Nehru Nagar, Behind G.P.O., Patna, P.S. - Kotwali, Dist. -  
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Saobiya Mushtaque, Advocate  
For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

2      17-02-2026                                      Heard learned Counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the recovery is of  
432 liters of nepali liquor from a four-wheeler Sumo Gold  
vehicle.

4. Learned counsel for the petitioner submits that  
the name of the petitioner has surfaced in the case on account of  
suspicion. Learned counsel for the petitioner submits that the  
petitioner was not even present at the time of occurrence and  
has been wrongly implicated merely due to an entry in records



and further submitted that the petitioner has no criminal antecedent.

5. The application is opposed by the learned APP for the State.

6. Considering the fact that no recovery has been made from conscious physical possession of the petitioner and that the petitioner was not even present at the time of occurrence and also given the fact that the petitioner has no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge-1st (Product Act), Darbhanga in connection with Sadar P.S. Case No. 867 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court



below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

**(Alok Kumar Sinha, J)**

Gaurav Sinha/-

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