

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21333 of 2026

Arising Out of PS. Case No.-47 Year-2025 Thana- Baijnathpur District- Saharsa

Aman Kumar Son of Bhola Paswan Resident of village - Pastwar, P.S.-
Mahishi, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-04-2026 Heard Mr. Amarnath Jha, learned counsel for the

petitioner and Ms. Meena Singh, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.04.2025 in connection with Baijnathpur P.S. Case No. 47 of
2025, F.I.R. dated 23.04.2025 for the offences punishable under
Section 30(a), 41 of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 224.67 liters of country made foreign
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case merely on the basis of suspicion. He further
submits that it appears from the F.I.R. as well as seizure list that
nothing has been recovered from the conscious possession of



the petitioner rather the recovery has been made from vehicle in question and the petitioner is neither owner nor driver of the vehicle in question. He further submits that the police after investigation submitted the charge sheet no.87/2025 on 20.06.2025 against the petitioner. The petitioner is in custody since 24.04.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries three criminal antecedents other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Exclusive Special Excise I, Saharsa in connection with Baijnathpur P.S. Case No. 47 of 2025, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage 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, 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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