

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 11836 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- EXCISE SONPUR District- Saran

Shiv Chandra Ram Son of Late Nageshwar Ram R/o Village - Kiratpur Raja
Ram, P.S.- Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR JUSTICE RITESH KUMAR

ORAL ORDER

2 17-02-2026

Heard the parties.

2 The petitioner is in custody in connection with Sonepur Excise PS Case No 137 of 2025 dated 23.12.2025 for allegedly having committed an offence under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3 The learned counsel for the petitioner submits that total 9.540 liters of foreign made liquor was recovered from three persons and out of the same, 4.320 liters of foreign liquor was recovered from the possession of the petitioner. The learned counsel for the petitioner further submits that the petitioner is innocent and the seizure list has been prepared in complete violation of the provisions of Section 103 of the BNSS, since no independent witness has come forward to



support the prosecution case and there is no eye witness to the occurrence. The learned counsel for the petitioner further submits that the petitioner is in judicial custody since 24.12.2025 and he has got two criminal antecedents of similar nature.

4 The learned APP opposes the prayer for bail vehemently and submits that the petitioner is having two criminal antecedents.

5 Having heard learned counsel for the parties, let the petitioner above named be released on bail on his furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court III, Saran at Chapra in connection with Sonepur Excise PS Case No 137 of 2025 dated 23.12.2025 subject to the condition as laid down under Section 480 (3) of the BNSS/437 (3) of the Cr PC with a condition that :

(i) one of the bailors should be a close relative/family member of the petitioner,

(ii) the petitioner will cooperate in the trial.

6 The learned trial Court shall verify the criminal antecedent of the petitioner and in case at any stage if it is found that the petitioner has concealed his criminal antecedent, then



the Court below shall take steps for cancellation of his bail bond. However, the acceptance of the bail bond in terms of the above mentioned order shall not be delayed for the purpose of or in the name of verification.

(Ritesh Kumar, J)

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