

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15272 of 2026

Arising Out of PS. Case No.-5 Year-2026 Thana- DURGAWATI District- Kaimur (Bhabua)

Pramod Pandey S/O Sudhakar Pandey R/O Village-Kanaila P.S. and P.O.
Gadwar, District- Ballia Uttar Pradesh Presently R/O Village-K-548 Tara
Chand Colony Mahipalpur South West Delhi Delhi-110037

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parth Gaurav, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2026 Heard Mr. Parth Gaurav, learned counsel for the
petitioner and Ms. Meena Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
08.01.2026, in connection with Durgawati P.S. Case No. 05 of
2026, F.I.R. dated 07.01.2026 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition &
Excise Amendment Act, 2022.

3. Recovery is of 955.440 litres of *foreign* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. 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 recovery has been



made from the vehicle in question and petitioner has no concern at all with the alleged recovery of illicit liquor and he was the driver of the vehicle in question and he had no knowledge about the consignment of the liquor which was loaded in the vehicle in question and altogether 955.440 litres of various brand of liquor was recovered from the vehicle in question. He further submits that from perusal of the seizure list it appears that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 08.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise)-II, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 05 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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