

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16692 of 2026

Arising Out of PS. Case No.-138 Year-2025 Thana- Excise Mashrakh District- Saran

Sonu Singh Son of Hiralal Singh @ Heeralal Singh Resident of Village-
House No. 221, Lane No.2, Near Paswan Chowk Rajput Colony, Hajipur,
P.S.- Hajipur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-03-2026 Heard Mr. Ajay Kumar Tiwary, learned counsel for
the petitioner and Mr. Nitya Nand Tiwary, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.12.2025 in connection with Excise Masrakh P.S. Case No.
138 of 2025, F.I.R. dated 18.12.2025 for the offences punishable
under Section 30(a) and 32(3) of the Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 77.760 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. 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 car in question and the petitioner is not the owner of the said car. He further submits that there is non-compliance of Section 103 and 105 of BNSS. The petitioner is in custody since 19.12.2025.

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

6. Considering the aforesaid facts and circumstances and fact that the petitioner is not the owner of the car in question and there is non-compliance of Section 103 and 105 of BNSS, 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 Judge, Excise Court No.3rd, Saran at Chapra in connection with Excise Masrakh P.S. Case No. 138 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)

Suruchi/-

U		T	
---	--	---	--

