

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17990 of 2026

Arising Out of PS. Case No.-202 Year-2025 Thana- TIKAPATTI District- Purnia

Shivlal Marandi S/o- Late Shyam Marandi R/v- Teldiha Santhal Tola PS-
Tikapatti District- Purnia Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Vimal

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and
learned APP for the State.

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

3. Perusal of the first information report and the seizure list, would go to show that 10 liters of country made liquor is said to have been recovered from a plastic gallon and it was alleged by the local Chowkidar that it was the petitioner who had thrown away the said gallon.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. It is submitted that the petitioner is being made an accused in such cases under Excise Act mechanically without any concrete evidence against him. It



is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has two criminal antecedents of similar nature of the offence, to which, learned counsel for the petitioner submits that the bail orders have been passed in both the cases.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged 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 the learned court below where the case is pending/successor court in connection with Tikapatti P.S. Case No. 202 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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