

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16787 of 2026

Arising Out of PS. Case No.-248 Year-2025 Thana- KISHANPUR District- Supaul

Sanjay Kumar son of Chandeshwari Yadav Resident of village- Manjhoua
Ward no. 02,Ps- Bhaptiyahi, Dist- supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Sanjeev Verma, learned counsel for the

petitioner and Mr. Pramod Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.12.2025 in connection with Kishanpur P.S. Case No. 248 of
2025, F.I.R. dated 07.12.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. Recovery is of 295.200 liters of Nepali liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent 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 the vehicle in question. He further submits that the petitioner is not the owner of the said vehicle in question and altogether 295.200 liters of Nepali liquor has been recovered from the said vehicle and there is non-compliance of Section 103/105 of the BNSS, 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.12.2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, 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 Judge/Court-I, Supaul in connection with Kishanpur P.S. Case No. 248 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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