

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15313 of 2026

Arising Out of PS. Case No.-31 Year-2026 Thana- NAUTAN District- Siwan

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Ankit Sharma Son of Kisan Sharma @ Kishan Sharma Resident of Village-
Sundarpur Ps -Nautan District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2026 Heard Mr. Pankaj Kumar Dubey, learned counsel for
the petitioner and Mr. Dr. Kumar Uday Pratap, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
02.02.2026 in connection with Nautan P.S. Case No. 31 of 2026,
F.I.R. dated 01.12.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise(Amendment)
Act, 2018.

3. As per prosecution case, total 135 litres of illicit
country made liquor has been recovered from a Tempu.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
FIR is false and fabricated and the petitioner has not committed
any offence as alleged in the FIR. It appears from the



FIR/seizure list that nothing has been recovered from the conscious possession of this petitioner rather the alleged recovery is made from a vehicle (Tempu) and petitioner is neither the owner nor the driver of the tempu. He has no knowledge about the alleged recovery. From perusal of seizure list, there is non compliance of section 103 of the BNSS. He further submits that Police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.02.2026.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case and also the fact that the petitioner has clean antecedent, petitioner is neither the owner nor driver of the seized tempu and there is non-compliance of section 103 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-II, Siwan in connection with Nautan P.S. Case No. 31 of 2026, with 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 her absence on two consecutive dates without sufficient reason, his/her 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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