

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16174 of 2026

Arising Out of PS. Case No.-160 Year-2026 Thana- Excise P.S. District- Kishanganj

Md. Aadil Son of Md. Sultan R/o Dhobepur Bansara, P.S. - Hayaghat, District
- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2026 Heard Mr. Ram Prawesh Kumar, learned counsel for
the petitioner and Mr. Upendra Kumar, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
07.02.2026, in connection with Madya Nisedh P.S. Case No.
160 of 2026, Special Case No. 160 of 2026, F.I.R. dated
07.02.2026 registered for the offences punishable under
Sectiona 30(a) and 32(3) of the Bihar Prohibition & Excise
(amendment) Act.

3. Recovery is of 292.500 litres of illicit liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
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 recovery has been made from the vehicle in question and altogether 292.500 litres of illicit liquor was recovered from the vehicle in question. He further submits that the petitioner is not owner of the vehicle in question and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 07.02.2026.

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 nothing has been recovered from the conscious possession of the petitioner 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, Kishanganj in connection with Madya Nisedh P.S. Case No. 160 of 2026, Special Case No. 160 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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