

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16110 of 2026

Arising Out of PS. Case No.-1460 Year-2025 Thana- Excise P.S. District- Aurangabad

Jitendra Bhuiyan @ Jitendra Bhuiya S/O Shiv Kumar Bhuiyan @ Shiv Kumar
Bhuiya R/O Vill.- Manika, P.S.- Madanpur, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2026 Heard Mr. Aman Vishal, learned counsel for the

petitioner and Ms. Veena Kumari Jaiswal, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
31.12.2025 in connection with Aurangabad Excise Sadar P.S.
Case No. 1460 of 2025, F.I.R. dated 30.12.2025 for the offences
punishable under Sections 30(a), and 32(3) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. Recovery is of 210 liters of illicit *chulai* 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 (tempo) in question. He further submits that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 31.12.2025.

5 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 and there is non-compliance of Section 103/105 of the BNSS, 2023, 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 Special Judge, Excise, Second, Aurangabad (Bihar) in connection with Aurangabad Excise Sadar P.S. Case No. 1460 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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