

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20889 of 2026

Arising Out of PS. Case No.-489 Year-2025 Thana- PURNEA SADAR District- Purnia

Md. Afjal S/O Md. Sahbaj @ Shahwaz Alam @ Shahbaz Resident of Village-
Charaiya, ward no. - 06, P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-04-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 489 of 2025 registered for the offence under
Section 317(5) of the B.N.S., 2023 and u/s 30(a) of the Bihar
Prohibition and Excise Act.

3. The recovery is of 200.610 litres of illicit liquor
from a tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence.
Petitioner is not the owner of the seized tempo rather he is a
driver. He has no concern with the alleged recovery. Petitioner is
in custody since 04.10.2025 having clean antecedent.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and period of custody, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise-01), Purnea/concerned court below in connection with Sadar P.S. Case No. 489 of 2025, with a condition that:

(i). The petitioner shall mark his attendance at Baisi Police Station on every Sunday of each month. In the event of default, the bail bonds shall be liable to be cancelled.

(ii) At the time of acceptance of bail bonds, the court below shall verify the antecedents of the petitioner. The bail bonds shall be accepted only upon confirmation that the petitioner has no criminal antecedent. However, such verification shall not be used as a ground to unnecessarily delay acceptance of the bail bonds.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case



and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

Ranjeet/-

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