

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17776 of 2026

Arising Out of PS. Case No.-101 Year-2025 Thana- Tilak Rai Ka Hata District- Buxar

Jag Narayan Bind @ Jag Narayan Bin Son of Uma Kant Bin@ Umakant Bind
R/o Village - Chakani Khaira, P.S. - Simri, Dist. - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr.Dr.Kamal Deo Sharma, learned counsel for

the petitioner and Mr.Kalyan Shankar, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
07.01.2026 in connection with Tilak Rai Ke Hata P.S. Case No.
101 of 2025, F.I.R. dated 20.11.2025 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2022.

3. Recovery is of 27 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. It appears from
the FIR that the recovery has been made from the motorcycle in
question and petitioner has been made accused in the present
case merely on the ground that he is owner of the motorcycle in



question. As per FIR, the petitioner was fled away from the place of occurrence. Learned counsel for the petitioner further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner has given the motorcycle in question to one co-villager who was escaped from the place of occurrence and petitioner has been made accused in the present case and the petitioner is in custody since 07.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent and petitioner has been made accused in the present case merely on the ground that he is owner of the motorcycle in question, 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 learned Exclusive Special Judge, Excise Court No.-02, Buxar in connection with Tilak Rai Ke Hata P.S. Case No. 101 of 2025, 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 his/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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