

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17196 of 2026

Arising Out of PS. Case No.-143 Year-2026 Thana- Excise P.S. District- Nawada

Md. Atif Ali @ Md. Asif S/o Md. Salim R/o Village - Bhdouni (New Azad Mohalla), P.S - Nagar, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-03-2026 Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner has prayed for bail in connection with Excise P.S. Case No. 143 of 2026 registered for the offence punishable under Section 30(a), 47 of the Excise Act.

3. The case of the prosecution, in short, is that from a vehicle altogether 57 liters of foreign liquor and 12 liters of beer was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He submits that the petitioner is the driver of the said vehicle. He was unaware of the alleged recovery and the recovery thereof. He also submits that nothing has been recovered from the possession of this petitioner. Petitioner is



merely the driver of the said vehicle. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Petitioner is languishing in judicial custody since 07.02.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall not indulge himself in similar nature of offences in future.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Nawada in connection with Excise P.S. Case No. 143 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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