

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19345 of 2026

Arising Out of PS. Case No.-339 Year-2025 Thana- TARAIYA District- Saran

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1. Niraj Kumar S/o- Late Lalchand Gupta Village- Katka kachhwa PS- Kachhwa District-Mirzapur, UP
 2. Ved Prakash Bind S/o- Rampati Bind @ Ram Pati R/v- Katka Medinipur Ps- Aurai Dist- Bhadohi U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Dhananjay Kumar Tiwary, learned counsel for the petitioners and Ms. Gulnar Begum, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 12.12.2025 in connection with Taraiya (Sadar Excise) P.S. Case No. 339 of 2025, F.I.R. dated 11.12.2025 for the offences punishable under Section 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 800 liters of illicit spirit.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have 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 petitioners rather the recovery has been made from pick up van and petitioners are not owner of the vehicle in question. He further submits that there is non-compliance of Section 103 and 105 of BNSS and police after investigation has submitted charge sheet and petitioners are in custody since 12.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioner have clean antecedent and there is non-compliance of Section 103 and 105 of BNSS, let the petitioners, 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 Exclusive Special Excise Court No.03, Saran, Chapra in connection with Taraiya (Sadar Excise) P.S. Case No. 339 of 2025, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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