

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18327 of 2026

Arising Out of PS. Case No.-426 Year-2025 Thana- DORIGANJ District- Saran

1. Shahrukh Son of Ishtiyakh Resident of Village -Asifabad Chandpura PS -Gulauthi District -Buland Shahr, Uttar Pradesh
2. Javed Son of Jahid Resident of Village -Asifabad Chandpura PS -Gulauthi District -Buland Shahr, Uttar Pradesh

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Ms. Chetna, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Ms. Chetna, learned counsel for the petitioners and Ms. Meena Singh, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 18.12.2025 in connection with Doriganj P.S. Case No. 426 of 2025, F.I.R. dated 17.12.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Recovery is of 2187 liters of foreign liquor.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioners have not



committed any offence as alleged in the F.I.R. 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 have been made from the truck in question. She further submits that the petitioners have no concern at all with the alleged recovery of the illicit liquor and the petitioners are the driver and co-driver of the said truck in question. There is non-compliance of Sections 103/105 of the BNSS, 2023. The petitioners are in custody since 18.12.2025.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and there is non-compliance of Section 103/105 of the BNSS, 2023, 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 Doriganj P.S. Case No. 426 of 2025, subject to the following conditions:-

i. One of the bailors shall be the close relative of the petitioners.



ii. 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.

iii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. 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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