

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17771 of 2026

Arising Out of PS. Case No.-1336 Year-2025 Thana- Excise P.S. District- Jamui

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1. Pawan Kumar Son of Ashok Rai Resident of Village- Sahai, P.S.- Vaishali, District- Vaishali
 2. Ganesh Kumar Rai Son of Santlal Yadav Resident of Village- Rahimpur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr.Manoj Kumar, learned counsel for the petitioners and Mr.Umesh Lal Verma, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 21.12.2025 in connection with Jam P.S. Case No. 1336 of 2025, F.I.R. dated 20.12.2025 registered for the offence punishable under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

3. Recovery is of 2511 liters of foreign liquor.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. It appears from the FIR as well as the seizure list that nothing has been



recovered from possession of the petitioners rather the recovery has been made from the Tanker in question and altogether 2511 liters of foreign liquor was recovered from the Tanker in question and the petitioner is not the owner of the Tanker in question and petitioner No.1 is Driver and petitioner No.2 is co-Driver of the Tanker in question and they have no concern at all with the alleged recovery of illicit liquor and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioners are in custody since 21.12.2025.

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

6. Considering the aforesaid fact, petitioners have clean antecedent, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.-II, Jamui in connection with Jam P.S. Case No. 1336 of 2025, with 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 antecedents, 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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