

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18343 of 2026

Arising Out of PS. Case No.-858 Year-2025 Thana- Excise P.S. District- Gopalganj

Pappu Tiwari S/o Uma Tiwari R/o Badi Khajuriya, P.S.- Bhore, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Sunil Kumar Singh, learned counsel for
the petitioner and Mr. Mukesh Kumar Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.01.2026 in connection with Gopalganj Excise P.S. Case No.
858 of 2025, F.I.R. dated 24.12.2025 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. Recovery is of 151 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation as alleged in the F.I.R is false and
fabricated and the petitioner has 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 petitioner rather altogether 151 litres of country made liquor has been recovered from the bush and the same is an open place. He further submits that name of the petitioner has been transpired on the basis of the disclosure made by the local villagers and except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 12.01.2026.

5 Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, 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 the learned District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Gopalganj Excise P.S. Case No. 858 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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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