

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21255 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- KUNDWACHAINPUR District- East
Champaran

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Rajesh Kumar S/o- Amiri Sah Resident of village - Nanaura, PS- Ghorasahan
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Ms.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr.Ajay Kumar Singh, learned counsel for
the petitioner and Ms.Suman Kumari Singh, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
03.01.2026 in connection with Kundwa Chainpur P.S. Case No.
02 of 2026, F.I.R. dated 03.01.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 210 liters of Napali liquor.

4. Learned counsel appearing for the petitioner
submits that from a bare perusal of the FIR it appears that
altogether 210 liters of Napali liquor was recovered from the
motorcycle in question and petitioner was apprehended at the



place of occurrence. Learned counsel for the petitioner submits that it appears from the seizure list that there is non-compliance of Section 103 of BNSS, 2023 and the petitioner is in custody since 03.01.2026.

5. Learned APP for the State has 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, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, there is non-compliance of Section 103 of BNSS, 2023 and the recovery has been made from the motorcycle in question, 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 learned Exclusive Special Excise Court No.-01, East Champaran at Motihari in connection with Kundwa Chainpur P.S. Case No. 02 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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