

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19559 of 2026

Arising Out of PS. Case No.-117 Year-2026 Thana- Excise P.S. District- Lakhisarai

Suraj Kumar Son of Shankar Saw Resident of Purani Bazar, Ward No. 11,
P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
23.02.2026 in connection with Excise P.S. Case No. 117C² of
2026 for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The prosecution story, in brief, is that on
22.02.2026, the informant had got secret information that Suraj
Kumar was selling illicit liquor in his house. On the basis of
said information, she reached near the house of Suraj Kumar
and started searching. From his house 3.240 liters of foreign
liquor was recovered and accordingly seizure list was prepared
and Suraj Kumar was apprehended.

4. Learned counsel for the petitioner submits that from



bare perusal of the FIR it appears that altogether 3.240 liters of foreign liquor was recovered from the house of the petitioner. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is next submitted that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023. Learned counsel for the petitioner further submits that petitioner is in custody since 23.02.2026.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the house of the petitioner and apart from aforesaid, he has antecedent of four cases other than the present case but fairly submits that the petitioner is on bail in these cases.

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 Court of District and Additional Sessions Judge-VII-cum-Exclusive Special Court-II, Lakhisarai in connection with Excise P.S. Case No. 117C² of 2026, 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 canceled 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)

Gaurav Sinha/-

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