

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21268 of 2026

Arising Out of PS. Case No.-54 Year-2026 Thana- Excise P.S. District- Madhubani

Sonu Kumar Choudhary Son of Ravindra Choudhary @ Ravindra Kumar Chaudhari Resident of Village- Rajputana, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Miss Kusum Rani, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2026 Heard Miss Kusum Rani, learned counsel for the petitioner and Mr.Yogendra Kumar Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 01.02.2026 in connection with G.O. No.320/2026 arising out of Sadar Excise P.S. Case No. 54 of 2026, F.I.R. dated 01.02.2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 225 liters of illicit liquor.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. Further submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the



petitioner rather the recovery has been made from the vehicle in question and the petitioner is not the owner of the vehicle in question. Further submits that from a bare perusal of the FIR it appears that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and altogether 225 liters of Napali country made liquor was recovered from the vehicle in question and the petitioner is in custody since 01.02.2026.

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

6. Considering the aforesaid fact, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of BNSS, 2023, 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 Judge, Excise, Madhubani in connection with G.O. No.320/2026 arising out of Sadar Excise P.S. Case No. 54 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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