

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20624 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- Excise P.S. District- Darbhanga

Amit Thakur S/o Late Uday Thakur R/o Vill- Banker's Colony, Gudari Bazar,
Station Road, P.s.- Laheriasarai, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Ms. Mili Kumari, learned counsel for the

petitioner and Md. Iftekhar Mahmood, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.01.2026 in connection with Excise Sadar P.S. Case No. 20 of
2026, F.I.R. dated 09.01.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 876 liters of Whisky.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. 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
the recovery has been made from from home and duster car of



co-accused, Amit Thakur and the petitioner was not apprehended at the place of occurrence rather co-accused, Amit Thakur and two others were apprehended at the place of occurrence. He further submits that there is non-compliance of Section 103 of BNSS and the petitioner is in custody since 10.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is non-compliance of Section 103 of BNSS, 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 Special Judge, Excise Act-I, Darbhanga in connection with Excise Sadar P.S. Case No. 20 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 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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