

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21283 of 2026

Arising Out of PS. Case No.-101 Year-2026 Thana- Excise P.S. District- Banka

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Raju Kumar @ Raju Kumar Yadav @ Raju Yadav S/O Mitan Yadav Resident
of village- Dhanni chak, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr.Sudhir Kumar Mishra, learned counsel for

the petitioner and Ms.Pushpa Sinha.1, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
02.03.2026 in connection with Banka Excise P.S. Case No. 101
of 2026, F.I.R. dated 02.03.2026 registered for the offence
punishable under Sections 30(a) and 32(3) of Bihar Prohibition
and Excise Amendment Act, 2018.

3. Recovery is of 150 liters of country made 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



motorcycle in question and petitioner has no concern at all with the alleged recovery of illicit liquor or the motorcycle in question and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 02.03.2026.

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

6. Considering the aforesaid fact, petitioner has clean antecedent 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 Special Judge Exclusive Excise Court-2 Banka in connection with Banka Excise P.S. Case No. 101 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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