

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22290 of 2026

Arising Out of PS. Case No.-6 Year-2026 Thana- Lalamnia District- Madhubani

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Gulab Saday @ Gulabchand Saday Son of Gaghu Saday @ Fagu Saday R/o
Village - Dhanushi Bazar Tol, P.S. - Lalmaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard Mr. Jitendra Kumar Bharti, learned counsel

for the petitioner and Mr. Parmanand Prasad, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.02.2026 in connection with Lalmaniya P.S. Case No. 06 of
2026, F.I.R. dated 05.02.2026 for the offences punishable under
Sections 274 and 275 of the BNS, 2023 and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Recovery is of 270 liters of Nepali country made
liquor.

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 of 270 liters of illicit Nepali country made liquor has been made from the place of occurrence. He further submits that the petitioner has been made accused merely on the basis of suspicion. He further submits that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 06.02.2026.

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

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 Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Lalmaniya P.S. Case No. 06 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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