

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21013 of 2026

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

Abhishek Kumar @ Raushan S/O Sunil Prasad Sah R/O Mohalla - Madarpur
Darbhanga P.S.- Laheriasarai Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Uma Shankar Singh, Advocate
For the State : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Uma Shankar Singh, learned counsel for
the petitioner and Ms. Meena Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 10.01.2026, in connection with Darbhanga Excise Sadar P.S. Case No. 20 of 2026, F.I.R. dated 09.01.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016 and Amendment Act, 2022.

3. Recovery is of 876 litres of *illicit* liquor.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely 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 recovery has been made from the house of co-accused



person, namely, Amit Thakur and the petitioner has been made accused merely on the ground that the petitioner was present at the house of co-accused person and there is non-compliance of Sections 103 of BNSS, 2023 and the petitioner is in custody since 10.01.2026.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the house of co-accused person, namely, Amit Thakur and there is non-compliance of Section 103 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act-I, Darbhanga in connection with Darbhanga Excise Sadar P.S. Case No. 20 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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