

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21115 of 2026

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

Subham Kumar S/o- Dabbu Jaiswal @ Saket Jaiswal Resident of Mohalla-
Gulowara, P.S.- Town, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr.Saurav Anand, learned counsel for the
petitioner and Mr.Nityanand, learned A.P.P. for the State.

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

3. Recovery is of 876 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR. Further
submits that it appears from the FIR that altogether 795.240
liters of foreign liquor was recovered from possession of co-



accused person, namely, Amit Thakur and 80.760 liter of foreign liquor was recovered from the Car in question. Learned counsel for the petitioner submits that it appears from the aforesaid, the recovery has been made from the house and Car of co-accused person and petitioner has been made accused in the present case merely on the ground that the petitioner was present in the house of co-accused person and said co-accused person, namely, Amit Thakur has been granted bail by this Court vide order dated 31.03.2026 passed in Cr. Misc. No.20624 of 2026 and several other co-accused persons have also been granted bail by this Court and the petitioner is in custody since 10.01.2026.

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 the person from whose possession recovery has been made, has been granted bail by this Court, 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-I, (Excise Act), Darbhanga in connection with Excise P.S. (Sadar) Case No. 20 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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