

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21308 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- HARLAKHI District- Madhubani

Biltu Mandal Son of Bhola Mandal Resident of Village- Kauaha Barhi, P.S-
Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr.Shailendra Kumar Jha, learned counsel
for the petitioner and Mr.Yogendra Kumar, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
28.01.2026 in connection with Harlakhi Case No. 30 of 2026,
corresponding to G.R.No.120/2026, F.I.R. dated 28.01.2026
registered for the offence punishable under Sections 274, 275,
3(5) of BNS and Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 96 liters of Nepali country made
liquor.

4. Learned counsel appearing for the petitioner
submits that the allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as



alleged in the FIR. It appears from the FIR as well as the seizure list that altogether 96 liters of Nepali country made liquor was recovered from the place of occurrence and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 28.01.2026.

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 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 Exclusive Special Judge, Excise, Madhubani in connection with Harlakhi Case No. 30 of 2026, corresponding to G.R.No.120/2026, 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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