

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22388 of 2026

Arising Out of PS. Case No.-331 Year-2026 Thana- Excise P.S. District- Muzaffarpur

Randhir Patel @ Randhir Ray S/O Fulbabu Ray R/O Village- Kafen, Ward
No. 04, P.S- Garha, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Raju Kumar
	:	Mr. Kumar Gaurav
	:	Mr. Shubham Samrat
For the Opposite Party/s :	:	Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.02.2026 in connection with Excise P.S. Case No. 331 of 2026
for the offences punishable under Sections 30(a), 32(3) and 33
of Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that on 16-02-
2026 informant who happened to be Excise Inspector has got a
secret information that the F.I.R. named accused person stored
huge quantity of spirit in the bushes and Banswari situated at
village- Kafen Latif inside the river and they tried to distribute it
through small vehicle. For verification when the police team
reached on the Garha to Hathauri road and saw that a tempo



bearing Reg. No. BR06GF-8713 which was chased and intercepted by the police. Apprehended person disclosed his name as petitioner. On search total 800 liter spirit is recovered. The apprehended person also disclosed the said spirit was loaded by Rakesh Kumar, Ranjan Kumar, Rabin Sahni, Dinesh Sahni and Sanjay Sahni. Thereafter on the instigation of apprehended petitioner police reached bank of river situated at the village- Kafen Latif. Thereafter on search total 2926 liters spirit has been recovered from Banswari.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner and recovery has been made from the tempo in question. It is next submitted that the petitioner is not the owner of the tempo in question and it appears from the seizure list that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 18.02.2026.

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



6. Considering the aforesaid facts and circumstances and that petitioner is a person with clean antecedent and that there is non-compliance of mandatory provisions 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 the learned Exclusive Special Judge Excise-II, Muzaffarpur in connection with Excise P.S. Case No. 331 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 canceled 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)

Gaurav Sinha/-

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