

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22726 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- AWTARNAGAR District- Saran

Samir Kumar Son of Late Suresh Rai @ Suresh Yadav Resident of Village-
Kothiya Pran Rai Ke Tola, P.S.- Awatarnagar, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-04-2026 Heard Mr. Dewendra Narayan Singh, learned counsel
for the petitioner and Mr. Sanjay Kumar Sharma, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.02.2026 in connection with Awatarnagar P.S. Case No. 68 of
2026, F.I.R. dated 13.02.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 25 liters of illicit country made wine.

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 has been made from the place of occurrence. He



further submits that as per the allegation the petitioner has fled away from the place of occurrence. It appears from the seizure list that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 14.02.2026.

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 Exclusive Special Judge, Excise-1, Saran at Chapra in connection with Awatarnagar P.S. Case No. 68 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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