

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22562 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

Soharab Alam Son of Hasmuddin Miyan @ Hasamuddin Miya Resident of
Village - Balapur, P.S.- Barahariya, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-04-2026 Heard Mr.Pankaj Kumar Dubey, learned counsel for
the petitioner and Mr.Md. Nazir Ansari, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
12.01.2026 in connection with Kuchaikot P.S. Case No. 23 of
2026, F.I.R. dated 11.01.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 927.720 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. Further submits
that it appears from the FIR as well as the seizure list that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the Pick-up-



Van in question and petitioner is not the owner of the vehicle in question and it appears from the seizure list that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 12.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, 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 District and Additional Sessions Judge-IV-cum-Exclusive Special Judge, Excise Court-II, Gopalganj in connection with Kuchaikot P.S. Case No. 23 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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