

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25170 of 2026

Arising Out of PS. Case No.-52 Year-2026 Thana- Excise P.S. District- Saran

Chhotelal Pandit S/o Shankar Pandit @ Uma Shankar Pandit R/o Vill- Derni
Sutihar, P.S.- Derni, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Ajay Kumar Singh No. I, learned counsel
for the petitioner and Mrs. Meena Singh, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
24.02.2026, in connection with Pre-Trial No. BRSP01P-002480
of 2026 arising out of Chhapra Sadar Excise P.S. Case No. 52 of
2026, F.I.R. dated 23.02.2026 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Act, 2016.

3. Recovery is of 03 litres of *illicit* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. that nothing has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner further submits that in fact nothing has been recovered from the conscious possession of the petitioner rather the police has planted the same and shown that recovery has been made from the possession of the petitioner. He further submits that from perusal of the seizure list it appears that seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 24.02.2026.

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

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Presiding Officer, Exclusive Special Excise Court No. 3, Saran in connection with Pre-Trial No. BRSP01P-002480 of 2026 arising out of Chhapra Sadar Excise P.S. Case



No. 52 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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