

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23128 of 2026**

Arising Out of PS. Case No.-91 Year-2026 Thana- CHAND District- Kaimur (Bhabua)

Mahendra Singh S/O Rajendra Singh Resident of Village - Padhauti, P.S. -
Bhagwanpur, District -Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 08-04-2026 Heard Mr.Rakesh Kumar Mishra, learned counsel for
the petitioner and Mr.Anil Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.03.2026 in connection with Chand P.S. Case No. 91 of 2026,
F.I.R. dated 03.03.2026 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 16.38 liters of illicit liquor.

4. Learned counsel appearing for the petitioner
submits that from a bare perusal of the FIR it appears that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the
motorcycle in question and altogether 16.38 liters of Indian
made foreign liquor was recovered from the motorcycle in
question and there is non-compliance of Sections 103 and 105



of BNSS, 2023 and the petitioner is in custody since 04.03.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended at the place of occurrence, apart from that, the petitioner carries one more case of similar nature other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 Special Excise Judge-1, Kaimur at Bhabhua in connection with Chand P.S. Case No. 91 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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