

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22331 of 2026**

Arising Out of PS. Case No.-204 Year-2026 Thana- EXCISE PALIGANJ District- Patna

Ganesh Kumar Son of Ram Binay Mistri Resident of - Indira Nagar, Ward  
No.- 03, Gali No. 04, P.S.- Paliganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar, Advocate

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

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

2      06-04-2026                      Heard Mr. Pramod Kumar, learned counsel for the  
  
petitioner and Mr. Awadhesh Kumar Singh, learned Additional  
  
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
22.02.2026 in connection with Excise Paliganj P.S. Case No.  
204 of 2026, F.I.R. dated 21.02.2026 for the offences punishable  
under Sections 30(a) and 56(b) of the Bihar Prohibition and  
Excise Act.

3. Recovery is of 195 liters of illicit foreign liquor.

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 vehicle in question. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor and he has been made accused in the present case merely on the ground that he is owner of the said vehicle. He further submits that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 22.02.2026.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he has been made accused merely on the ground that he is owner of the vehicle in question and there is non-compliance of Section 103/105 of the 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 Special Excise Judge, Danapur in connection with Excise Paliganj P.S. Case No. 204 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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