

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23699 of 2026

Arising Out of PS. Case No.-95 Year-2026 Thana- BHELDI District- Saran

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1. Murtuja Mahamad @ Murtuja Mohamad S/o- Imamudin R/v- Pudulpur Ps- Derni Dist- Saran
 2. Gayanchand Kumar S/o- Sitaram Manjhi R/v- Pathara Ps- Derni Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shweta Anand, Advocate
For the State	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2026 Heard Ms. Shweta Anand, learned counsel for the
petitioners and Mr. Mohammed Arif, learned APP for the State.

2. Petitioners seek bail, who are in custody since 11.03.2026, in connection with Bheldi P.S. Case No. 95 of 2026, F.I.R. dated 10.03.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. Recovery is of 60 litres of *country made* liquor.

4. Learned counsel for the petitioners submits that the petitioner no. 1 having clean antecedent and petitioner no. 2 carries one more case of similar nature other than the present one in which he is on bail and they have been falsely implicated in the present case. She further submits that from perusal of the F.I.R. it appears that altogether 60 litres of country made liquor was



recovered from the scooty in question and petitioners are not the owner of the scooty in question. He further submits that from perusal of the seizure list it appears that there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioners are in custody since 11.03.2026.

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

6. Considering the facts and circumstances of the case and the fact that there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-1, Saran at Chapra in connection with Bheldi P.S. Case No. 95 of 2026, subject to the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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