

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26461 of 2026**

Arising Out of PS. Case No.-104 Year-2025 Thana- MANSI District- Khagaria

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1. Awaren Paniyar @ Amrendra Kumar Son of Guno Paniyar
  2. Musan Paniyar @ Amarjit Paniyar @ Amarjit Kumar Son of Guno Paniyar  
Both are Resident of Village Bangalia, Police Station Mansi, District-  
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr.Vindhyachal Singh, Sr.Advocate |
|                          | : | Mr.Md. Shahid Anwar, Advocate     |
| For the Opposite Party/s | : | Mr.Sucheta Yadav, APP             |

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

2      21-04-2026                      Heard Mr.Vindhyachal Singh, learned senior counsel  
appearing for the petitioners and Mr.Sucheta Yadav, learned  
A.P.P. for the State.

2. The petitioners seek bail, who are in custody since  
07.02.2026 in connection with Mansi P.S. Case No. 104 of  
2025, F.I.R. dated 06.05.2025 registered for the offence  
punishable under Section 30(f) of Bihar Prohibition and Excise  
Act (Amended), 2018.

3. Recovery is of 88 litres of Wiscodin Cough Syrup.

4. Learned senior counsel appearing for the petitioners  
submits that the petitioners have clean antecedent. The  
allegation as alleged in the FIR is false and fabricated and the  
petitioners have not committed any offence as alleged in the



FIR. Further submits that from a bare perusal of the FIR it appears that altogether 88 litres of Wiscodin Cough Syrup was recovered from the place of occurrence and one person namely, Bablu Singh was apprehended and who has not disclosed the name of the petitioners and on the basis of the disclosure made by the local villager, name of the petitioners has been transpired during investigation and except the aforesaid, nothing has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and from a bare perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and petitioners are in custody since 07.02.2026.

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

6. Considering the aforesaid fact, petitioners have clean antecedent, on the basis of the disclosure made by the local villager, name of the petitioners has been transpired during investigation and there is non-compliance of Sections 103 and 105 of BNSS, 2023, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)each with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Judge, 1<sup>st</sup>,  
Khagaria in connection with Mansi P.S. Case No. 104 of 2025,  
with the following conditions:-

(I) 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 bond shall be cancelled by the Court below.

(II) If the petitioners tamper 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 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)**

Nitesh/-

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