

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24444 of 2026

Arising Out of PS. Case No.-17 Year-2026 Thana- BHAIKAVSHTHAN District- Madhubani

Vijay Kumar Jha S/O Radhe Shyam Jha R/O Village - Sugauna , p.s-
Rajnagar , District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Gagan Deo Yadav, learned counsel for the
petitioner and Ms. Meena Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
06.02.2026 in connection with Bhairavsthan P.S. Case No. 17 of
2026, F.I.R. dated 06.02.2026 for the offences punishable under
Sections 274, 275, 3(5) of the B.N.S. and u/s 30(a) of the Bihar
Prohibition and Excise Act.

3. The recovery is of 450 litres of Sourav Safi Nepali
liquor from the vehicle in question.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. It appears from the FIR that
nothing incriminating article has been recovered from the
conscious possession of this petitioner rather the alleged



recovery has been made from the vehicle in question. Altogether, 450 litres of Sourav Safi Nepali liquor from the vehicle in question. Learned counsel further submits that there is non compliance of section 103/105 of the BNSS, 2023 and the Seizure list witnesses are the Police personnel and the petitioner is in custody since 06.02.2026.

5. Learned APP for the State on the other hand vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and there is non-compliance of section 103/105 of BNSS, 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 Exclusive Special Judge, Excise, Jhanjharpur, in connection with Bhairavsthan P.S. Case No. 17 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 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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