

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24450 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- Excise P.S. District- Bhojpur

1. Govind Son of Maher Chand @ Mahendra Chand Resident of village-Garhi Hakikat, P.S-Mohana, District- Sonipat (Haryana).
2. Suraj Son of Hitler Resident of village-Ratangarh, P.S-Mohana, District-Sonipat(Haryana).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Jitendra Kumar Bharti, learned counsel for the petitioners and Mrs. Rina Sinha, learned APP for the State.

2. Petitioners seek bail, who are in custody since 09.02.2026 in connection with Excise Ara P.S. Case No. 30 of 2026, F.I.R. dated 08.02.2026 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 270 litres of Indian made Foreign liquor from the vehicle in question.

4. Learned counsel for the petitioners submit that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR as well as the seizure list that nothing has been recovered from conscious



possession of the petitioners rather the recovery 270 litres of Indian Made Foreign liquor has been made from the vehicle in question. The petitioners are not the owner of the seized vehicle. Apart from aforesaid, there is non-compliance of Section 103/105 of the BNSS, 2023. Petitioners are in custody since 09.02.2026.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners, nothing has been recovered from the conscious possession of these petitioners and there is non-compliance of Section 103/105 of the 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 the learned Exclusive Special Judge, Excise, Excise Court No.-II, Bhojpur, Ara, in connection with Excise Ara P.S. Case No. 30 of 2026, 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 her absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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