

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25490 of 2026

Arising Out of PS. Case No.-202 Year-2026 Thana- Excise P.S. District- Siwan

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1. Vishal Kumar Son of Ramesh Yadav Resident of Village- Sidhwal, P.S.- Hussainganj, District- Siwan
 2. Dhanu Kumar Son of Sudaran Prasad Resident of Village- Titra, Phulwariya, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Pankaj Kumar Singh, learned counsel for the petitioners and Mr. Pronoti Singh, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since 15.03.2026 in connection with Siwan Excise P.S. Case No. 202/2026, F.I.R. dated 14.03.2026 for the offences punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. Recovery is of 1080 liters of illicit liquor.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have 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 petitioners rather the recovery has been made from vehicle in question and the petitioners are not the owner of the vehicle in question. The seizure list witnesses are police personnel and there is non-compliance of Sections 103 and 105 of the BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 15.03.2026.

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

6. Considering the aforesaid facts and circumstances, 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 Excise Court-2, Siwan in connection with Siwan Excise P.S. Case No. 202/2026, subject to 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 his absence on two consecutive dates without sufficient reason, his bail bonds 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 his 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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