

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26200 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- SANJHOLI District- Rohtas

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1. Vivek Kumar @ Vivek Singh S/O Randhir Singh @ Lalo Singh R/O Village- Sanjhauli, P.S- Sanjhauli, Distt.- Rohtas.
 2. Randhir Singh @ Lalo Singh @ Lale Singh S/O Rambachan Singh R/O Village- Sanjhauli, P.S- Sanjhauli, Distt.- Rohtas.

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Ravi Kant, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2026 Heard Mr. Ravi Kant, learned counsel for the

petitioners and Mr. Narsingh Tanti, learned Additional Public

Prosecutor for the State.

2. Petitioners seeks bail who are in custody since
01.03.2026 in connection with Sanjhauli P.S. Case No. 45 of
2026, F.I.R. dated 01.03.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022.

3. Recovery is of 142.170 liters of foreign liquor.

4. Learned counsel for the petitioners submits that
petitioner no. 2 has clean antecedent and petitioner no. 1 carries
two criminal antecedents other than the present one but he is on



bail in one case and one case is pending for consideration before competent court of law 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 of 142.170 liters of foreing liquor has been made from the house of the petitioner no. 1 and co-accused person. He further submits that petitioners are not the absolute owners of the house in question rather the same is the joint house property of the petitioners. The petitioners are in custody since 01.03.2026.

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

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from the joint house property of the petitioners, 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 Judge-II, Sasaram in connection with Sanjhauri P.S. Case No. 45 of 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 their 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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