

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26555 of 2026

Arising Out of PS. Case No.-234 Year-2026 Thana- EXCISE DANAPUR District- Patna

1. Dilip Kumar Son of Naresh Chaudhary Resident of Pragati Nagar Sipara, Police Station - Beur, District - Patna (Bihar)
2. Ajay Paswan Son of Late Ram Ishwar Paswan Resident of village - Simra, Police Station - Parsa Bazar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Abhijeet Gautam, learned counsel for the petitioners and Mr. Nand Kumar, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 24.02.2026 in connection with Danapur Excise P.S. Case No. 234 of 2026, F.I.R. dated 24.02.2026 for the offences punishable under Section 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 165 liters of country made 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 tempo in question and petitioners are not the owner nor the driver of the tempo in question. Petitioner no.1 is the driver and petitioner no.2 is passenger of the tempo in question and seizure list witnesses are police personnel and the petitioners are in custody since 24.02.2026.

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) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur in connection with Danapur Excise P.S. Case No. 234 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 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 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)

Suruchi/-

U		T	
---	--	---	--

