

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26279 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- MUSRIGHRARI District- Samastipur

1. Chandramani Kumar S/o Ravindranath Nirala Resident of Ward No. 9, Barbatta, P.S.- Musarigharari, District- Samastipur, Bihar
2. Vikram Sahni @ Vikram Kumar S/o Chandra Kumar Sahni Resident of 35, ward no. 02, Gohda, Rupauli Buzrug, Rupauli, P.S.- Musarigharari, District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2026 Heard Mr. Keshav Bhardwaj, learned counsel for the petitioners and Ms. Indu Kumari Srivastava, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail where petitioner no. 1 is in custody since 20.03.2026 and petitioner no. 2 is in custody since 21.03.2026 in connection with Musrigharari P.S. Case No. 28 of 2026, F.I.R. dated 23.02.2026 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Recovery is of 209.88 liters of foreign liquor.

4. Learned counsel for the petitioners submits that petitioners are innocent 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 209.88 liters of foreign liquor has been made from the maize field and the petitioners have no concern at all with the recovery of the illicit liquor or the place of occurrence. He further submits that although from perusal of the seizure list it appears that the seizure list witnesses are the police personnel so there is non-compliance of Section 103 of the BNSS, 2023. The petitioner no. 1 is in custody since 20.03.2026 and petitioner no. 2 is in custody since 21.03.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that the petitioner no. 1 carries one criminal antecedent and petitioner no. 2 carries three criminal antecedents other than the present one but fairly submits that they are on bail in the all pending matters.

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 Judge Excise-I, Samastipur in connection with Musrigharari P.S. Case No. 28 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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