

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28869 of 2026

Arising Out of PS. Case No.-47 Year-2026 Thana- Excise P.S. District- Bhojpur

Badal Kumar Son of Rambabu Rai Resident of Sakin - Dhirachak, Anisabad,
P.S.- Gardanibagh, District - Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Singh, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2026 Heard Mr.Saurav Singh, learned counsel for the
petitioner and Ms.Pronoti Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
28.02.2026 in connection with Sadar Excise (Ara) P.S. Case
No. 47 of 2026, F.I.R. dated 27.02.2026 registered for the
offence punishable under Section 30(a) of Bihar Prohibition
and Excise Amendment Act, 2018.

3. Recovery is of 90 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. Further submits
that it appears from the FIR as well as the seizure list that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the vehicle in
question and petitioner is driver of the vehicle in question and



he has no concern at all with the alleged recovery of illicit liquor and seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 28.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact and petitioner has clean antecedent, let the petitioner, 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 learned Special Excise Judge-II, Bhojpur, Ara in connection with Sadar Excise (Ara) P.S. Case No. 47 of 2026, with the following conditions:-

(I) Petitioner 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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