

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27774 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- MUSRIGHRARI District- Samastipur

Md. Noor @ Md. Noor Alam @ Md. Nur Alam @ Noor Alam @ Nur Alam
S/O Late Kayum R/O- Bhutan, P.S.- Hathauri, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2026 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Ms. Meena Singh, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.03.2026 in connection with Musrigharari P.S. Case No. 08 of
2026, F.I.R. dated 14.01.2026 for the offences punishable under
Section 30(a) and of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 2800.440 liters of illicit foreign
liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has 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 petitioner rather



the recovery of altogether 2800.440 liters of illicit liquor has been made from the truck in question and one Pukraj was arrested and disclosed that the petitioner is the owner of the said truck. He further submits that petitioner has been made accused merely on the ground that he is owner of the truck in question. It appears from the seizure list that the seizure list witnesses are the police personnel, so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 26.03.2026.

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

6. Considering the aforesaid facts and circumstance that the petitioner has clean antecedent, he has been made accused merely on the ground that he is owner of the truck in question and there is non-compliance of Section 103/105 of the BNSS, 2023, 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 the learned Exclusive Special Judge Excise-I, Samastipur in connection with Musrigharari P.S. Case No. 08 of 2026 subject to 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 absence on two consecutive dates without sufficient reason, his 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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