

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29674 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- Excise P.S. District- Saran

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1. Brajesh Kumar S/o- Arjun Pandey R/v- Kishun Nagar Ps- Kanti Dist- Muzaffarpur
 2. Sumiran Kumar S/o- Sudish Pandey R/v- Kishun Nagar Ps- Kanti Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Ms.Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard Mr.Nawal Kishore Singh, learned counsel for
the petitioners and Ms.Rina Sinha, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 23.02.2026 in connection with Sadar Excise P.S.Case No.50 of 2026, F.I.R. dated 22.02.2026 registered for the offence punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. Recovery is of 100.200 litres of illicit foreign liquor.

4. Learned counsel appearing for the petitioners submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of



the petitioners rather the recovery has been made from the vehicle in question and petitioners are not the owner of the vehicle in question and petitioners have been made accused in the present case merely on the basis of suspicion. It appears from the FIR as well as the seizure list that the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of the B.N.S.S. 2023 and the petitioners are in custody since 23.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that petitioner No.1 carries one more case other than the present one and petitioner No.2 has clean antecedent.

6. Considering the aforesaid fact, 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 learned 3rd Exclusive Special Excise Court, Saran at Chapra. in connection with Sadar Excise P.S.Case No.50 of 2026, with 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)

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