

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28697 of 2026

Arising Out of PS. Case No.-74 Year-2026 Thana- Excise P.S. District- Saran

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1. Pintu Kumar S/o Gorakh Rai Reident of Village- Chakiya, Kala Patti, Rampur, PS- Doriganj, Distt- Saran at Chhapra
 2. Bablu Kumar S/o Rajkumar Ray Reident of Village- Chakiya, Kala Patti, Rampur, PS- Doriganj, Distt- Saran at Chhapra

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2026 Heard Mr. Adesh Raj Singh, learned counsel for the petitioners and Ms. Shaheen Begum, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 24.03.2026 in connection with Sadar Excise P.S. Case No. 74 of 2026, F.I.R. dated 23.03.2026 for the offences punishable under Sections 30(a) and 32(iii) of the Bihar Prohibition and Excise Act.

3. Recovery is of 96.840 liters of illicit 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 of 96.840 liters of illicit liquor has been made from the motorcycle. 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 petitioners are in custody since 24.03.2026.

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 3rd Exclusive Special Excise Court, Saran at Chhapra in connection with Sadar Excise P.S. Case No. 74 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 his absence on two consecutive dates without sufficient reason, his 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 has concealed his 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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