

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28691 of 2026

Arising Out of PS. Case No.-241 Year-2026 Thana- BANIAPUR District- Saran

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Golu Kumar S/O Yogindra Prasad R/O Village- Baraitha, P.S- Baniapur, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2026 Heard Mr. Harsh Anuj, learned counsel for the

petitioner and Mr. Kumar Ranjit Ranjan, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
23.03.2026 in connection with Baniapur P.S. Case No. 241 of
2026, F.I.R. dated 19.03.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 107.4 liters of illicit liquor of
different brands.

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



on the basis of secret information the recovery of 107.4 liters of illicit liquor has been made behind the primary school. He further submits that the name of the petitioner has been transpired on the basis of suspicion and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. 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 23.03.2026.

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

6. Considering the aforesaid facts and circumstances, 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 1st Exclusive Special Excise Judge Saran at Chapra in connection with Baniapur P.S. Case No. 241 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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