

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29556 of 2026

Arising Out of PS. Case No.-35 Year-2026 Thana- GANGABRIDGE District- Vaishali

Doman Rai Son of Late Lala Rai Resident of Village - Rajaso, P.S.- Bidupur,
District - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 12.02.2026 in connection with Ganga Bridge P.S. Case No. 35 of 2026 for the offences punishable under Sections 30(a) and 30(c) of Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in brief, is that on 11.02.2026, the informant along with his police team was on patrolling duty and conducting raid against the illegal liquor traders at village Diwantok and in the meantime got information that illegal liquor manufacturing unit has been running in East-South direction of Diwantok diyara region situated near bank of river Ganga by Doman Rai, Lalan Rai, Manki Rai, Birju Kumar, Bhullu Kumar. To verify the said information and necessary



action police team reached near at Diwantok diyara region situated near bank of river Ganga and saw that five to six persons started running away from a liquor bhatti on seeing the police team who were tried to be apprehended out of which one person was apprehended and other persons managed to flee away from the place of occurrence taking benefit of ikri field and river. On inquiry, the apprehended person disclosed his name as Doman Rai and he also disclosed the names of fleeing persons as Lalan Rai, Manki Rai, Birju Kumar, Bhullu Kumar. Thereafter, on search of place of occurrence, a total of 300 liter country made liquor and 10,000 liter of raw material used for preparing liquor is also found there but 10,000 liter of raw material was destroyed at the place of seizure itself. One aluminum pipe and one plastic pipe were also recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and it appears from the FIR as well as seizure list that recovery has been made from the place of occurrence namely, Diwantonk Diyara, Ikri field and the petitioner has no role at all in the present occurrence and he has been made an accused in the present case on the basis of suspicion. It is next submitted that there is non-compliance of



mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 12.02.2026

5. The learned Additional Public Prosecutor for State 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 Exclusive Special Excise Court No. 1-cum- Additional District and Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 35 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)

Gaurav Sinha/-

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