

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30766 of 2026

Arising Out of PS. Case No.-90 Year-2026 Thana- CHIRAIYA District- East Champaran

Dinesh Sahani S/o Late Prabhu Sahani Resident of Village - Mahuawa, P.S -
Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard Mr.Sanjay Kumar Tiwari, learned counsel for
the petitioner and Mr.Awadhesh Kumar Singh, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
13.02.2026 in connection with Chiraiya P.S. Case No. 90 of
2026, F.I.R. dated 12.02.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 108 liters of Nepali Kasturi liquor.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR as well as the seizure list
that nothing has been recovered from conscious possession of
the petitioner rather the recovery has been made from the Toto-
e-rickshaw in question and altogether 108 liters of Nepali



Kasturi liquor was recovered from Toto-e-rickshaw in question. It appears from the seizure list that the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of B.N.S.S., 2023 and the petitioner is in custody since 13.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended alongwith the illicit liquor, apart from that, the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned Exclusive Special Excise Court No. 1, Civil Court, East Champaran, Mothihari in connection with Chiraiya P.S. Case No. 90 of 2026, with 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/her absence on two consecutive dates without sufficient



reason, his/her 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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