

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31292 of 2026

Arising Out of PS. Case No.-963 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Sahil S/o Banto @ Bantu Resident of Village - Damodar Khurd, P.S -
Bahadurgarh, District - Jhajar, State - Hariyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Aquaib Khan, learned counsel for the

petitioner and Mr. Ashok Kumar Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
11.04.2026, in connection with Bhabhua Excise P.S. Case No.
963 of 2024, F.I.R. dated 22.12.2024 registered for the offences
punishable under Sections 30(a), 32(1), (3), 41(1)(2) of the
Bihar Prohibition & Excise Amendment Act, 2022.

3. Recovery is of 216.00 litres of *illicit* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. as well as seizure list that recovery has
been made from the car in question and altogether 260.00 litres



of illicit liquor was recovered from the car in question and petitioner is not the owner of the car in question. It appears from the seizure list that the seizure list witnesses are Bihar Home Guard personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 11.04.2026.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise)-II, Kaimur at Bhabhua in connection with Bhabhua Excise P.S. Case No. 963 of 2024, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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