

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37413 of 2026

Arising Out of PS. Case No.-49 Year-2026 Thana- Bahera District- Gaya

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1. Satender Kumar @ Sitender Kumar S/O Ram Pravesh Mistri R/O village- Nanhemar, P.S.- Kako, District- Jehanabad
 2. Ravikant Kumar S/O Ram Vinod Prasad R/O village- Rasula, P.S.- Kako, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Vinod Kumar, learned counsel for the
petitioners and Mr. Ramesh Chandra, learned APP for the State.

2. Petitioners seek bail, who are in custody since 22.03.2026, in connection with Bahera P.S. Case No. 49 of 2026, F.I.R. dated 21.03.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Amendment Act, 2022.

3. Recovery is of 1325.075 litres of *foreign* liquor and 12 litres of Beer.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have 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 postal partial van and altogether 1325.075 litres of Indian made foreign liquor was recovered and 12 litres of Beer was also recovered from the vehicle in question. He further submits that the petitioners are not the owner of the vehicle in question and there is non compliance of Sections 103 and 105 of the B.N.S.S., 2023 and the petitioners are in custody since 22.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners were apprehended from the place of occurrence and apart from aforesaid the petitioner no. 1 carries one more case of similar nature and petitioner no. 2 carries two more cases of similar nature other than the present one.

6. Considering the facts and circumstances of the case and the fact that there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-5, Gaya in connection with Bahera P.S. Case No. 49 of 2026,



subject to the following conditions :-

(1) 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, 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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