

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32163 of 2026

Arising Out of PS. Case No.-47 Year-2026 Thana- SAHODARA District- West Champaran

Tuntun @ Farukh Alam S/O Late Murtuza Shekh Rersident of Village-
Parsauni, Ward No. 2, P.S- Sahodra, Distt.- West Champaran, Bettiah, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Preeti Kumari

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Ms. Preeti Kumari, learned counsel for the

petitioner and Ms. Pushpa Sinha, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.03.2026 in connection with Sahodra P.S. Case No. 47 of
2026 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The case of the prosecution, in short, is that the
allegation against the petitioner is of recovery of 24.3 liters of
liquor from the vehicle.

4. Learned counsel for the petitioner submits that it
appears from the FIR that recovery is of 24.3 liters of liquor
from the vehicle. It is next submitted that petitioner is not the
owner of the vehicle in question and he has been made an



accused in the present case on the basis of suspicion and except the aforesaid nothing has come to suggest the involvement of the petitioner with the present occurrence and petitioner is in custody since 25.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three cases other than the present case but fairly submits that petitioner is on bail in the pending matters.

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 Judge, Excise Court-II, Bettiah, West Champaran in connection with Sahodra P.S. Case No. 47 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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