

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31155 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- BARARI District- Bhagalpur

Satyam Kumar S/o Rajniti Choudhary @ Bajju Choudhary R/o vill - Sirajpur,
Ward no.02 , Post- Temtha P.S.- Parbatta, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Bijendra Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
19.02.2026, in connection with Barari P.S. Case No. 37 of 2026,
F.I.R. dated 19.02.2026 registered for the offences punishable
under Sections 30(a) and 32(ii) of the Bihar Prohibition &
Excise Act.

3. Recovery is of 546.750 litres of Indian made
foreign 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 vehicle in question and petitioner is not the owner of the vehicle in question and petitioner has been made accused in the present case merely on the basis of suspicion and except the suspicion, nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence and apart from the aforesaid, the petitioner is mentally ill and who is undergoing treatment in AIIMS Delhi (Annexure-2) and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 19.02.2026.

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 Excise Judge-I, Bhagalpur in connection with Barari P.S. Case No. 37 of 2026, 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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