

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30780 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- BUXAR District- Buxar

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Pintu Kumar @ Chirgojar S/o Late Tuntun Sah R/o vill - Maruti Colony, P.S.-
Buxar (Ind), Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the State : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard Dr. Kamal Deo Sharma, learned counsel for

the petitioner and Mrs. Suman Kumari Singh, learned APP for

the State.

2. Petitioner seeks bail, who is in custody since
09.03.2026, in connection with Buxar (Town) P.S. Case No. 81
of 2026, F.I.R. dated 08.02.2026 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Amendment Act 2018.

3. Recovery is of 115.80 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the name of the petitioner
has been transpired on the basis of disclosure made by co-
accused person, namely, Rahul Kmar Yadav. It appears from the



F.I.R. that nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from two motorcycles in question and petitioner has no role at all in the present occurrence and 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 09.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of seven cases, the petitioner is on bail in six cases and one case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner 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 Court No. 1, Buxar in connection with Buxar



(Town) P.S. Case No. 81 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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