

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32700 of 2026

Arising Out of PS. Case No.-120 Year-2026 Thana- NAUTAN District- Siwan

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1. Gagan Deep Kumar S/o Sri Nandlal Prasad R/o Village - Chunari, P.S.- Lar, District - Deoriya(U.P.).
 2. Ramjan S/o Mubarak R/o Village - Imalaui, P.S. - Mairwa, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Raghav Prasad, learned counsel for the petitioners and Ms. Shaheen Begum, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 07.04.2026 in connection with Nautan P.S. Case No. 120 of 2026, F.I.R. dated 07.04.2026 for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 270 liters of country made liquor.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR as well as seizure list that nothing has been recovered from the conscious possession of the petitioners rather altogether 270 liters of



country made liquor has been recovered from the vehicle in question and these petitioners are not the owner of the said vehicle in question. He further submits that there is non-compliance of Sections 103/105 of the BNSS, 2023. The petitioners are in custody since 07.04.2026.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-2, Siwan in connection with Nautan P.S. Case No. 120 of 2026, subject to the following conditions:-

i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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