

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32782 of 2026

Arising Out of PS. Case No.-530 Year-2024 Thana- MIRGANJ District- Gopalganj

Chandan Kumar S/o Shivji Pasi R/o Village- Piprakhas, P.S.- Mirganj,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra
For the Opposite Party/s : Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Vyas Kumar Mishra, learned counsel
for the petitioner and Md. Iftekhar Mahmood, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.02.2026 in connection with Mirganj P.S. Case No. 530 of
2024 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The case of the prosecution, in brief, is that the
allegation is of recovery of 91.600 liters of liquor from the
house of co-accused Vijanti Devi.

4. Learned counsel for the petitioner submits that it
appears from the FIR and seizure list that nothing has been
recovered from the conscious possession of the petitioner and
altogether 91.600 liters of liquor was recovered from the house



of co-accused Vijanti Devi. It is next submitted that petitioner has been made an accused in the present case on the ground that he is the son of Vijanti Devi and on the basis of suspicion he has been falsely implicated even when the petitioner was not apprehended from the place of occurrence. It is next submitted that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 17.02.2026.

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 two 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 District and Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Mirganj P.S. Case No. 530 of 2024, 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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