

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33575 of 2026**

Arising Out of PS. Case No.-43 Year-2026 Thana- Excise P.S. District- Saran

Sujit Kumar Son of Laxman Prasad Resident of Village- Salapatganj, Takkar  
More, Gudri Bazar, P.S.- Bhagwan Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-05-2026                      Heard Mr. Ajay Kumar Tiwary, learned counsel for  
the petitioner and Mr. Pushpa Sinha.1, learned Additional Public  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
18.02.2026 in connection with Sadar Excise P.S. Case No.  
43/2026, F.I.R. dated 17.02.2026 for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 7.920 liters of foreign liquor from  
the bag of the petitioner.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has falsely been implicated in the  
present case. He further submits that it appears from the F.I.R.  
as well as seizure list that nothing has been recovered from the  
conscious possession of the petitioner. He further submits that



there is non-compliance of Section 100 of Cr.P.C/103 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries four criminal antecedents but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

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 No. 3<sup>rd</sup> Saran at Chapra in connection with Sadar Excise P.S. Case No. 43/2026, 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)**

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