

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36349 of 2026

Arising Out of PS. Case No.-236 Year-2026 Thana- EXCISE MASAUDHI District- Patna

Md. Samsuddin S/o Late Md. Nijamuddin Resident of Mohalla- Sabjibagh,
P.S.- Pirbahore, Dist.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 09-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) and 32 (3) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list would go to show that 160 liters of country made liquor is said to have been recovered from an e-rickshaw.

4. It is submitted by learned counsel for the petitioner that the petitioner happens to be a simple commuter and had no knowledge of keeping of the said liquor in the e-rickshaw. The petitioner is neither the owner nor the driver of the said e-rickshaw. No recovery has been made from his personal or conscious possession. There is violation of the mandatory



provisions of the search and seizure as there is no independent witness to the seizure list. Petitioner has been languishing in custody since 06.04.2026.

5. Taking into consideration the fact and circumstances of the case and also considering the fact that there is non-compliance of mandatory provisions of seizure coupled with the fact that petitioner has no criminal antecedent, the above named petitioner is directed to be enlarged 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 the learned Court below where the case is pending/successor Court in connection with Excise Masaurhi P.S. Case No. 236 of 2026.

(Soni Shrivastava, J)

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