

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40712 of 2026

Arising Out of PS. Case No.-123 Year-2026 Thana- Excise P.S. District- Begusarai

Praveen Kumar @ Parveen Kumar S/o Dinesh Yadav R/o Village-
Kamruddinpur, Ward No 5, PS- Singhaul, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.03.2026 in connection with Excise P.S. Case No. 123 of 2026
for the offences punishable under Sections 30(a) and 32(3) of
Bihar Prohibition and Excise Act.

3. The case of the prosecution in brief is that there is
an allegation of recovery of 838.080 liters of illegal foreign
liquor from the plastic bags.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner next submits that it appears
from the FIR and seizure list that nothing has been recovered
from the conscious possession of the petitioner rather the



recovery has been made the vehicle in question and altogether 838.080 liters of illegal foreign liquor was recovered from the plastic bags. It is next submitted that from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 15.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner was apprehended at the place of occurrence. Apart from that petitioner has antecedent of two cases other than the present case but fairly submits that the 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 Exclusive Spl. Excise Judge-II, Begusarai in connection with Excise P.S. Case No. 123 of 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)

Gaurav Sinha/-

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