

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36581 of 2026

Arising Out of PS. Case No.-135 Year-2026 Thana- KATIHAR MUFFASIL District- Katihar

Md. Barkat S/o Late Md. Yasin @ Md. Ashif Resident of Bhagwan Chowk,
Sita Nagar, P.S. - Town, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-06-2026 Heard Mr.Ajit Kumar Singh, learned counsel for the
petitioner and Mr.Sanjay Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
11.04.2026 in connection with Muffasil P.S. Case No. 135 of
2026, F.I.R. dated 11.04.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 85 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR as well as the seizure list
that nothing has been recovered from conscious possession of
the petitioner rather the recovery has been made from the
Scooty in question and the seizure list witnesses are police
personnel and the petitioner is in custody since 11.04.2026.



5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one of similar nature but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 learned District and Additional Sessions Judge, Exclusive Special Excise Court-II, Katihar in connection with Muffasil P.S. Case No. 135 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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