

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42771 of 2026

Arising Out of PS. Case No.-94 Year-2026 Thana- SURYAGARHA District- Lakhisarai

Pankaj Kumar Son of Krishna Dave Yadav @ Krishndev Yadav R/o Village -
Khaira Ward No. 16, P.S.- Kajra, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate
		Mr. Umesh Prasad, Advocate
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr. Brajesh Sahay, learned counsel for the
petitioner and Mr. Md. Nazir Ansari, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
19.04.2026, in connection with Surajgarha P.S. Case No. 94 of
2026, F.I.R. dated 19.04.2026 registered for the offences
punishable under Sections 30(a), 32(3) and 32(c) of the Bihar
Prohibition and Excise Act.

3. Recovery is of 90.00 litres of *country made Mahua*
liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that recovery has been made from the



vehicle in question and altogether 900.00 litres of country made Mahua liquor was recovered from the vehicle in question. It appears from the seizure list that the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 19.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the out of three cases, the petitioner is on bail in two cases and rest one case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case and the fact that there is non-compliance of Sections 103 and 105 of the BNSS, 2023 and nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released 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 learned District & Additional Sessions Judge-IV-cum-Special Excise Court 1st, Lakhisarai in connection with Surajgarha P.S. Case No. 94 of



2026, subject to the following conditions :-

(1) 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 her criminal antecedents, 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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