

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38112 of 2026

Arising Out of PS. Case No.-2454 Year-2026 Thana- Excise P.S. District- Patna

Sachin Kumar Son of Ram Pravesh Ray R/O- Patthar Ghat, P.S.- Malsalami,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kr. Arya, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Mithilesh Kr. Arya, learned counsel for
the petitioner and Mr. Shailendra Kumar, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
08.04.2026, in connection with Excise P.S. Patna Case No. 2454
of 2026, F.I.R. dated 17.04.2026 registered for the offences
punishable under Sections 30(a)/41 and 56(b) of the Bihar
Prohibition & Excise Act.

3. Recovery is of 150.00 litres of *country made*
Mahua liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent 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 altogether



150.00 litres of country made Mahua liquor was recovered from the Tempo in question and petitioner has been made accused merely on the ground that he is the driver of the Tempo in question. It appears from the seizure list that the seizure list witnesses are official personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 18.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, 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 Exclusive Special Court of Excise-III, Patna in connection with Excise P.S. Patna Case No. 2454 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 his absence on two consecutive dates without sufficient reason, his 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 his 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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