

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38121 of 2026

Arising Out of PS. Case No.-356 Year-2026 Thana- Excise P.S. District- Siwan

Akshay Ram S/o Banwari Ram R/o Village- Bhaisakhal P.S- Jaridai, Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Chandra Mohan Jha, learned counsel for the petitioner and Mr. Rajendra Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 03.05.2026, in connection with Siwan Excise P.S. Case No. 356 of 2026, F.I.R. dated 03.05.2026 registered for the offences punishable under Section 30(a), 47 of the Bihar Prohibition & Excise Act.

3. Recovery is of 486.00 litres of *country made* 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 recovery has been made from the vehicle in question and petitioner is neither



the driver nor the owner of the vehicle in question. He further submits that the petitioner has no concern at all with the alleged recovery of illicit liquor or the vehicle in question and he has been made accused in the present case on the basis of suspicion and except the suspicion, nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence and there is non-compliance of mandatory provision of BNSS, 2023 and the petitioner is in custody since 03.05.2026.

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 there is non-compliance of mandatory provision of 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, Excise Court-2, Siwan in connection with Siwan Excise P.S. Case No. 356 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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