

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39897 of 2026

Arising Out of PS. Case No.-85 Year-2026 Thana- FULKAHA District- Araria

=====

Satyam Kumar Jha @ Satyam Kumar S/o- Sushil Kumar Jha @ Susheel
Kumar Jha R/v- Nathpur W.No-9, Ps- Narpatganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr.Mukesh Kumar Rana, 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
25.04.2026 in connection with Fulkaha P.S. Case No. 85 of
2026, F.I.R. dated 24.04.2026 registered for the offence
punishable under Sections 30(a), 32 of Bihar Prohibition and
Excise Act, 2016.

3. Recovery is of 207 liters of Nepali Dilwale liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. 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 motorcycle in question and



total 207 liters of Nepali Dilwale liquor was recovered from the motorcycle in question and 48 liters of illicit liquor was recovered from possession of the petitioner. Learned counsel for the petitioner submits that nothing has been recovered from conscious possession of the petitioner rather the police has planted the same and shown the recovery has been made from possession of the petitioner and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 25.04.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent and there is non-compliance of Sections 103 and 105 of BNSS, 2023, 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 Exclusive Special Judge, Excise-II, Araria in connection with Fulkaha P.S. Case No. 85 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)

Nitesh/-

U		T	
---	--	---	--

