

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40760 of 2026

Arising Out of PS. Case No.-1128 Year-2026 Thana- Excise P.S. District- East Champaran

Purushottam Kumar S/O Sri Dharmendra Patel @ Dharmendra Raut R/O Vill-
Panapur Bajar, P.s- Harsidhi, District-East Champaran

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Prateek Tandon, learned counsel for the

petitioner and Mr. Arun Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.04.2026 in connection with Excise P.S. Case No. 1128 of
2026, F.I.R. dated 13.04.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 79.500 liters of illicit Indian foreign
liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. As per the allegation in the FIR,
the petitioner has rented room from Rameshwar Patel and police
have raided the said rented room and recovered 79.500 liters of



illicit liquor. He further submits that the house in question does not belong to the petitioner and same is of Rameshwar Patel. It appears from the seizure list that the seizure list witnesses are police personnel so, there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 13.04.2026.

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

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner, petitioner has clean antecedent and there is non-compliance of Section 103/105 of the 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 the learned Exclusive Special Excise Court No. 2, East Champaran at Motihari in connection with Excise P.S. Case No. 1128 of 2026 subject to 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 absence on two consecutive dates without sufficient



reason, his 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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