

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42057 of 2026

Arising Out of PS. Case No.-456 Year-2026 Thana- Excise P.S. District- Kishanganj

Hardev Lal S/o Late Bhavak Lal R/o Vill- Aambari Rasia ward no. 05 ,P.S-
Powakhali ,District -Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Madya Nisedh P.S. Case No. 456 of 2026 lodged on 17.04.2026, for the offence punishable under sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, total recovery of 02.250 litres of illicit foreign liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been



made from a motorcycle. Counsel further submits that the name of the petitioner has come in this case only due to the reason that he is the owner of the seized motorcycle. He submits that the son of the petitioner has taken the said motorcycle and the petitioner has no knowledge that his son used the motorcycle for some illegal work. He further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Judge Excise-II, Kishanganj, in connection with Madya Nisedh P.S. Case No. 456 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any stage that the petitioner has concealed the fact about his criminal antecedent(s), the Trial Court shall take steps for cancellation of



bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

Divyansh/-

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