

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38927 of 2026

Arising Out of PS. Case No.-127 Year-2026 Thana- SHEKHPURA District- Sheikhpura

Chandan Kumar Son of Manoj Ram Resident of Village- Budhauri, P.S.-
Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad
	:	Mr. Rajnish Kumar
For the Opposite Party/s	:	Ms. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.05.2026 in connection with Sheikhpura P.S. Case No. 127 of
2026 for the offences punishable under Sections 30(a) and 30(c)
of Bihar Prohibition and Excise Act.

3. That the prosecution case in brief is that the
informant police party got secret information here in that CO
accused persons with petitioner manufacturing the country made
wine and selling then this information for verification police
party reached at the Chadiyari Khandha near the pokhar and saw
that 3 persons tried to fled away but police party caught them.
The apprehended persons disclose their name (i) Gautam Kumar



(ii) Chandan Kumar and (iii) Sanny Kumar. Thereafter the police party search and seized 40 liters country made wine and some manufacturing articles from the Chadiyari Kandha near the pond. During the interrogate by police the apprehended persons aid that all manufacturing articles and raw materials provided from the Kator Yadav and finish material also take over. And labor charge given each person Rs. 3000. Thereafter seizure list prepared in presence of two official witnesses.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that it appears from the FIR and seizure list that 40 liters of country made wine and some manufactured articles were recovered from Chadiyari Kandha near pond. It is next submitted that petitioner has been made an accused in this case merely on the basis of suspicion and due to his previous criminal antecedent. It is next submitted that from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 21.05.2026.

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



submits that petitioner has antecedent of one case other than the present case but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, 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 Court of Exclusive Excise Court, Sheikhpura in connection with Sheikhpura P.S. Case No. 127 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 her absence on two consecutive dates without sufficient reason, 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)

Gaurav Sinha/-

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