

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38985 of 2026

Arising Out of PS. Case No.-136 Year-2026 Thana- BUXAR MUFFSIL District- Buxar

Sunil Kumar Yadav S/O Govindar Singh Yadav @ Govindra Singh Resident
of Village- Nawadih, Police Station- Koransarai, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr. Manish Rai Sharma, learned counsel
for the petitioner and Mr. Md. Matloob Rab, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.04.2026 in connection with Buxar (M) P.S. Case No. 136 of
2026, F.I.R. dated 29.04.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 624.6 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has
been made from vehicle in question and the petitioner is not the



owner of the vehicle in question. He further submits that seizure list witnesses are police personnel so there is non-compliance of Section 103 and 105 BNSS. The petitioner is in custody since 29.04.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

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 Exclusive Excise Spl. Excise Court No. 01, Buxar in connection with Buxar (M) P.S. Case No. 136 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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