

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40352 of 2026

Arising Out of PS. Case No.-74 Year-2026 Thana- SALIMPUR District- Patna

Md. Seraj S/O Md. Lallu Resident of Village- Naya Tola, Madhopur, P.S.-
Bakhtiyarpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2026 Heard Mr.Saurav Anand, learned counsel for the
petitioner and Mr.Sanjay Kumar Tiwary, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
03.03.2026 in connection with Salimpur P.S. Case No. 74 of
2026, F.I.R. dated 01.03.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 202.11 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. It appears from
the FIR that altogether 202.11 liters of foreign liquor was
recovered from three different places and 129 liters of illicit
liquor has been recovered from the Auto in question and



petitioner was apprehended alongwith the illicit liquor. Learned counsel for the petitioner submits that the petitioner is not the owner of the Auto in question and petitioner is driver of the Auto in question and he has no knowledge about the illicit liquor and the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.03.2026.

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

6. Considering the aforesaid fact, petitioner has clean antecedent, 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, Barh at Patna in connection with Salimpur P.S. Case No. 74 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)

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