

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40044 of 2026

Arising Out of PS. Case No.-160 Year-2026 Thana- Excise P.S. District- Begusarai

Ajit Saw Son of Banka Saw @ Bauku Saw Resident of Village- Ramdiri-3
(Ward No. 9), Tola- Mahajee Dukhuti, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prasoon Shekhar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard Mr. Prasoon Shekhar, learned counsel for the
petitioner and Mr. Khurshid Anwar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
06.04.2026, in connection with Begusarai Excise P.S. Case No.
160 of 2026, F.I.R. dated 06.04.2026 registered for the offences
punishable under Sections 30(a) and 32(3) of the Bihar Excise
and Prohibition (Amendment) Act, 2018.

3. Recovery is of 311.540 litres of *foreign* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
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 recovery has been made from Aman Traders and there is



non-compliance of Sections 103 and 105 of BNSS, 2023 and the seizure list witnesses are police personnel and the petitioner is in custody since 06.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the Aman Traders and the petitioner was apprehended at the place of occurrence.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Begusarai in connection with Begusarai Excise P.S. Case No. 160 of 2026, subject to the following conditions :-

(1) 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.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 her criminal antecedents, 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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