

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41693 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- Pachpakdi District- East Champaran

Md. Safique Miyan Darji S/o Shamsuddin Miyan Resident of Village -
Maholiya, P.S. - Gaur, District - Rauthat, Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sugandh Saurabh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

3 27-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing for the State.

2. Petitioner is in custody in connection with
Pachpakadi P.S. Case No. 76 of 2026 registered for the offence
punishable under Section 317(5) of B.N.S. and 30(a) of the
Bihar Prohibition and Excise Act.

3. As per the allegation in the FIR, total 219.6 litres
illicit Nepali liquor was recovered from the carton boxes which
were kept on the motorcycles, out of which 99 litres Nepali
liquor was found from the petitioner's Pulsar motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that nothing has been recovered from
the conscious possession of the petitioner rather the alleged



recovery of liquor has been shown to be recovered from the motorcycle of the petitioner, which does not belong to the petitioner. He further submits that the name of the petitioner has been dragged in this case because of the village politics. He further submits that the petitioner has no concern with the recovered liquor. He next submits that the petitioner is in custody since 29.04.2026 and he has got clean criminal antecedent as per paragraph 3 of the bail petition.

5. Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also submission of learned counsel for the petitioner, let the above named petitioner be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1, East Champaran at Motihari in connection with Pachpakadi P.S. Case No. 76 of 2026.

(Girijish Kumar, J)

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