

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42821 of 2026

Arising Out of PS. Case No.-240 Year-2026 Thana- BIDUPUR District- Vaishali

Sanjay Kumar Yadav S/O Ram Lalit Rai @ Ram Lalit Ray Resident of Vill.-
Mahua Mukundpur, Mahua, Dist. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr.Ashok Kumar, learned counsel for the

petitioner and Ms.Suman Kumari Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
21.05.2026 in connection with Bidupur P.S. Case No. 240/2026,
F.I.R. dated 20.05.2026 registered for the offence punishable
under Sections 274,275 of BNS and Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Recovery is of 112 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. It appears from
the FIR as well as the seizure list that nothing has been
recovered from conscious possession of the petitioner rather the
recovery has been made from the Car in question and petitioner



has been made accused in the present case merely on the ground that he is owner of the Car in question. It appears from the FIR as well as the seizure list that the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 21.05.2026.

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

6. Considering the aforesaid fact, petitioner has clean antecedent and there is non-compliance of Sections 103 and 105 of BNSS, 2023, 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 Excise Court No.1-cum-District and Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 240/2026, 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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