

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42987 of 2026

Arising Out of PS. Case No.-103 Year-2026 Thana- Excise P.S. District- Bhojpur

Dildar Khan Son of Pir Muhmmad Khan, Resident of Village- Lat Saraiya
Amarpur Batlohiya, PS- Jaitpura, Dist- Baransi (Uttar Pradesh).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dilip Kumar Singh, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Excise Ara P.S. Case No. 103 of 2026 dated 18.05.2026, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, petitioner was found transporting 259.200 litres of illicit foreign liquor which was kept in the dicky of the vehicle being driven by the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from his conscious possession. Petitioner has no knowledge as to who kept the illicit liquor in the dicky of the



vehicle in question. Petitioner is merely a driver and he does not own the vehicle in question. There is non-compliance of Section 103 of the B.N.S.S., 2023. Learned counsel next submits that petitioner is having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 19.05.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, his period of custody and the nature of recovery, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-II, Bhojpur, Ara / concerned Court, in connection with **Excise Ara P.S. Case No. 103 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned



trial Court.

*(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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