

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43982 of 2026

Arising Out of PS. Case No.-514 Year-2026 Thana- SAHARSA SADAR District- Saharsa

Shakti Chaudhary son of Dilip Chaudhary Resident of Vill-
Hatiyagachhi, Ward No.31, P.S-Saharsa Sadar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2026 Heard Mr. Pankaj Kumar Singh, learned counsel for
the petitioner and Ms. Asha Devi, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.05.2026 in connection with Saharsa Sadar P.S. Case No. 514
of 2026, F.I.R. dated 13.05.2026 for the offences punishable
under Sections 30(a) and 41 of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. Recovery is of 92.625 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been 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 the recovery of



altogether 92.625 liters of illicit foreign liquor has been made from the vehicle in question. It appears from the seizure list that the seizure list witnesses are police personnel, so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 13.05.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two criminal antecedent other than the present one but fairly submit that he is on bail in both the pending matters.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge (Excise)-II, Saharsa in connection with Saharsa Sadar P.S. Case No. 514 of 2026 subject to 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 absence on two consecutive dates without sufficient reason, his 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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