

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45583 of 2026

Arising Out of PS. Case No.-342 Year-2021 Thana- KHAIRA District- Saran

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Dinesh Shah S/o Late Ramayan Shah @ Late ramayan rai Resident of
Village- Dih Pakri, P.S.- Amnaur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2026 Heard Mr. Udai Shankar Singh, learned counsel
for the petitioner and Dr. Kumar Uday Pratap, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.05.2026 in connection with Khaira (Nagra OP) P.S. Case No.
342 of 2021, F.I.R. dated 03.10.2021 for the offences punishable
under Section 30, 30(a), 41(1) of the Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 211.500 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent 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 has been made from an Alto Car and one motorcycle and the petitioner has been made accused merely on the basis that he is the owner of the motorcycle in question and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 10.05.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent and nothing has been recovered from his conscious possession and he has been made accused merely on the basis that he is the owner of the motorcycle in question, 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 3rd Exclusive Special Excise Judge, Saran, Chapra in connection with Khaira (Nagra OP) P.S. Case No. 342 of 2021, 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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