IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77290 of 2026

CNR No. BRHC011060512026

Arising Out of PS. Case No.-169 Year-2026 Thana- Patarghat District- Saharsa

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Vipin Yadav S/o Late Premlal Yadav R/o Village - Ghoghanpatti, Ward No. 02, P.S - Patarghat, District - Saharsa

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Binod Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Md. Nazir Ansari, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner as well as learned A.P.P. on behalf of the State.

2. The petitioner has been made an accused in a case registered for the offences punishable under Section 30(a) and 41 of the Bihar Prohibition and Excise Act, 2022.

3. As per the allegations made in the F.I.R., 9.5 litres of country-made liquor have been recovered from the motorcycle driven by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is further submitted that the provisions of Sections 103 and 105 of the B.N.S.S. have not been complied with . Learned counsel further submits that the petitioner is involved in two other cases in

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which he has already been granted bail. Learned counsel further submits that the petitioner undertakes to cooperate with the investigation and trial and not to repeat the offence.

5. The petitioner has been in judicial custody since 17.08.2026.

6. Learned A.P.P. on behalf of the State has opposed the application.

7. Taking into consideration the entire facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Court of Exclusive Special Excise-I, Saharsa or concerned Court, in connection with Patarghat P.S. Case No. 169 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to

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cancel the bail bond of the petitioner.

(iv) If the petitioner repeats an offence of a similar nature, his bail bond shall be liable to be cancelled by the Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the two cases as mentioned in paragraph-3 of the main bail petition he shall not be released.

The cases mentioned in paragraph-3 are as follows :-

(1) Sour Bazar P.S. Case No. 748 of 2023.

(2) Patarghat P.S. Case No. 40 of 2024.

(vi) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner and the delay shall not extend beyond the period of ten days.

(Raj Kumar, J)

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