IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80616 of 2026

CNR No. BRHC011090812026

Arising Out of PS. Case No.-345 Year-2026 Thana- BARUN District- Aurangabad

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Afridi Khan Son of Late Ainul Khan Resident of Village- Bantara, P.S.- Devkund, P.S.- Devkund, District- Aurangabad (Bihar).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Adarsh Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and the learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in connection with Barun P.S. Case No. 345 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the police intercepted a vehicle and apprehended one person, who disclosed his name as Afridi Khan and one person managed to escape. On search of the car, total 198 litres of foreign made liquor was recovered.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and as

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he happens to be the driver of the car, and not the owner of the car and had no knowledge of the presence of illicit liquor in the car. It has further been pointed out that the petitioner has no concern with the seized liquor, and moreover, he carries clean antecedent and is in custody since 27.08.2026.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 27.08.2026, let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Barun P.S. Case No. 345 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution

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shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Aurangabad, within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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