IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77329 of 2026

CNR No. BRHC011098052026

Arising Out of PS. Case No.-325 Year-2026 Thana- EXCISE MASAUDHI District- Patna

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Dheeraj Kumar Son of Ashok Chauhan Resident of village - Ramjee Chak, Digha, Bataganj, P.S.- Digha, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Khushi Awadh, Adv.
Mr. Vipul Sinha, Adv.
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor on behalf of the State.

2. The petitioner has been languishing in custody since 16.05.2026, and has been made an accused under Section 30(a) and 32(3) of the Bihar Prohibition & Excise Act-2016, in connection with Excise Thana Masaurhi (Masaudhi) P.S. Case No. 325/2026.

3. As per the allegation made in the FIR, 180 liters of the country made liquor has been recovered from the C.N.G. tempu kept beneath the driver’s seat.

4. The learned counsel for the petitioner submits that the vehicle was driven by the other co-accused namely, Golu

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Kumar, while petitioner was a co-passenger. The Learned counsel for the petitioner submits that the provisions of Section 103 and 105 of the BNSS have not been complied with. Learned counsel next submits that the petitioner has a clean antecedent and is languishing in custody since 16.05.2026.The learned counsel undertakes to co-operate with the investigation and trial and also undertakes not to repeat any offence.

5. The learned APP appearing on behalf of the State has opposed the application.

6. Taking into consideration the aforesaid facts, prayer for bail is allowed and the petitioner above-named, is directed to be released on bail on furnishing a bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Learned Court of the Exclusive Special Excise Judge-2nd, Patna in connection with Masaurhi P.S. Case No. 325/2026, 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) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found

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involved in any case other than the present one, his bail bond shall not be accepted.

(iv) 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 cancel the bail bond of the petitioner.

(v) 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 a period of ten days.

(vi) If he repeats any offence of a similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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