IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77267 of 2026

CNR No. BRHC011103582026

Arising Out of PS. Case No.-136 Year-2026 Thana- SHIVAJINAGAR District- Samastipur

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Sandeep Kumar Son of Bechan Mukhiya Resident of Village- Sherbijuliya, Sher Bijuliya, PS -Bahedi District - Darbhanga

... ... Petitioner/s

Versus

The State of Bihar bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Shashank Shekhar, Adv.
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 28-10-2026 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 Sections 30(a) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the allegations made in the F.I.R., 84 litres of country-made liquor was recovered from the motorcycle driven by the petitioner.

4. Learned counsel for the petitioner submits that he has been falsely implicated in this case. Learned counsel further submits that the provisions of Sections 103 and 105 of the B.N.S.S. have not been complied with. Learned counsel further

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submits that the petitioner undertakes to cooperate with the investigation as well as in the trial and not to repeat the offence. Learned counsel further submits that the petitioner has a clean antecedent.

5. The petitioner has been in judicial custody since 11.08.2026.

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 Exclusive Special Judge Excise-I, Samastipur or concerned Court, in connection with Shivajinagar P.S. Case No. 136 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

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circumstances, the learned court below will be at liberty to 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 present one, his bail bond shall not be accepted.

(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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