IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77356 of 2026

CNR No. BRHC011113292026

Arising Out of PS. Case No.-271 Year-2026 Thana- Excise P.S. District- Madhubani

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Kapil Singh @ Kapil Kumar Son of Binod Singh R/o village - Hanuman Nagar Parwa, P.S- Jaynagar, District- Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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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 10.09.2026, and has been made an accused under Section 30(a) of the Bihar Prohibition & Excise Act-2022, in connection with Excise P.S. Sadar Case No. 271/2026.

3. As per the allegation in the FIR, 135 liters of the country made liquor was recovered from the bushes near to the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner was not apprehended at the spot and he has been made an accused on the basis of the information given by the

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local villagers. Learned counsel next submits that petitioner is an accused in three cases in which, he has already been granted bail. It is further submitted that the petitioner has been languishing in custody since 10.09.2026. Learned counsel further submits that the petitioner undertakes to co-operate with the investigation and trial and not to repeat any offence.

5. 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 bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Exclusive Special Judge Excise, Madhubani in connection with Excise P.S. Sadar Case No. 271/2026, 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 involved in any case other than three cases as mentioned in para

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3 of the bail petition, his bail bond shall not be accepted.

Three cases mentioned in the bail petition are as follows:

a) Jaynagar P.S. Case No. 305/2025.

b) G.O. Case No. 81/2026.

c) Jaynagar P.S. Case No. 441/2026.

(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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