IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77783 of 2026

CNR No. BRHC011119002026

Arising Out of PS. Case No.-250 Year-2026 Thana- EXCISE MADHUBAN District- East Champaran

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Ali Raj Alam Son Of Mokhtar Mian Resident Of Village - Belwa Madho, Police Station - Kotwa, District - East Champaran (Bihar).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate
Mr. Mohan Kr. Tiwari, Advocate
Mr. Ujjwal Kumar, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a bolero pickup, altogether 603 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel

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has submitted that he was not apprehended on spot. He has been framed in this case as he is the owner of the said vehicle. The witnesses of the seizure list are police personnel and police have not complied Section 105 of BNSS while preparing seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.09.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise Madhuban P.S. Case No. 250 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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