IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80237 of 2026

CNR No. BRHC011148342026

Arising Out of PS. Case No.-2510 Year-2026 Thana- Excise P.S. District- East Champaran

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Manish S/o Late Kehar Singh R/o House no. 255, Kabari Road, Near Kachha Fatak Hari Nagar, ward no. 24, P.s.- Model Town, Distt.- Haryana

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Excise P.S. Case No. 2510 of 2026 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2208.600 liters liquor was recovered out of which 2172.96 liters recovered from truck and 35.640 liters recovered from car. The petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from

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the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner is the driver of the vehicle in question and he had no knowledge with regard to nature of goods booked by the transporter. The petitioner is in custody since 04.09.2026 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 2510 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date

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fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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