

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19512 of 2025**

Arising Out of PS. Case No.-26 Year-2025 Thana- MALAHI District- East Champaran

CHANDEV KUMAR SON OF DINA YADAV RESIDENT OF VILLAGE -  
SHYAMPUR KOTHARA, P.S. - NAUTAN, DISTRICT - WEST  
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Suraj Kumar Tiwari

For the Opposite Party/s : Mr.Surendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      15-04-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner has preferred this application for grant  
of regular bail in connection with Malahi P.S. Case No. 26 of 2025  
dated 19.01.2025 registered for the offences punishable u/ss 30(a),  
37 and 45 of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 7.200 litres of illicit  
foreign liquor was recovered from the motorcycle of the petitioner  
and 8.640 litres of illicit foreign liquor was recovered from the bag  
of the petitioner.

4. Learned counsel for the petitioner has submitted that  
the petitioner is innocent and has falsely been implicated in this  
case. Nothing has been recovered from the conscious possession



of the petitioner. It is further submitted that from the mouth of the petitioner smell of alcohol was coming when tested with a breath analyzer machine, the amount of alcohol 145mg/100ml was found. The petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Malahi P.S. Case No. 26 of 2025.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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