

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69700 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- Kadwa District- Bhagalpur

Md. Chand @ Chand Ali S/o Md. Manjur Resident of village- Bhader, ward
no 13, P/s- kahalgeon, district- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md.Najmul Hodda, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kadwa P.S. Case No. 77 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, petitioner was apprehended while driving a tempo and carrying 214.875 litres of foreign liquor.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner has no concern with the seized liquor. Recovery has



been made from the tempo and the petitioner is the driver of the said tempo and he was unaware about the liquor kept in the tempo and he has been driving the same on the instruction of its owner. Seizure list has not been prepared in accordance with law. Petitioner never indulged in trade of illicit liquor. Petitioner is in custody since 10.07.2025 and charge-sheet has been submitted. Petitioner is having antecedent of one case in which he is on bail.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhagalpur/concerned court in connection with Kadwa P.S. Case No. 77 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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