

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4625 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- Excise P.S. District- Madhubani

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Chandan Kumar @ Nepali @ Chandan Thakur S/O Baidyanathnath Thakur
@ Baidhnath Thakur Resident of village- Jitwarpur, Ward No. 07, P.S-
Rahika, Dist.- Madhubani, Permanent Add- Umgaon, Ward No. 18, P.S-
Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate
		Mrs. Archana Aanand, Advocate
For the Opposite Party/s :		Mr. Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sadar
Excise P.S. Case No. 09 of 2026 arising out of G.O. Case No. 40
of 2026 instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 198 litres
of illicit Nepali liquor has been recovered from bushes.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from an open place which is accessible to public at large. The
petitioner has got no concern with the alleged recovery of



liquor. The petitioner is in custody since 04.01.2026 and has four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 as also 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 on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sadar Excise P.S. Case No. 09 of 2026 arising out of G.O. Case No. 40 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 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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