

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12129 of 2026**

Arising Out of PS. Case No.-328 Year-2022 Thana- CHANDI District- Nalanda

Malay Kumar S/o- Late Ram Prasad Sahu R/v- Kanke Road, Upper Shivpuri,  
Misirgonda @ Pahargonda Ps- Ranchi University, Dist-Ranchi, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

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

ORAL ORDER

2      23-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Chandi P.S. case No.  
328 of 2022 instituted for the offences under Sections 30(a) and  
41(1)(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 606.03 liters  
liquor was recovered from truck.

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 the conscious possession of the petitioner. The petitioner  
has got no concern with the alleged recovery of liquor. It is  
further submitted that the name of the petitioner has transpired



as being registered owner of the truck in question. The petitioner is in custody since 11.01.2026 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 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 Chandi P.S. case No. 328 of 2022.

**(Rudra Prakash Mishra, J)**

Pankaj/-

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