

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11257 of 2026

Arising Out of PS. Case No.-1074 Year-2025 Thana- KANKARBAG District- Patna

Chandan Kumar, S/O Laxman Prasad @ Lakshman Prasad, Resident Of
Changar , Road No.- 08,P.S- Kankarbagh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APp

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Kankarbagh P.S. Case No. 1074 of 2025 registered for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2022.

3. The prosecution case is to the effect that on secret
information that some illicit liquor was being carried on an auto,
the same was intercepted and on search total 88 liters of desi
liquor was recovered.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case merely because he carries a long list of six cases of similar nature. It has further been submitted that no recovery has been made from the conscious possession of the petitioner or from his house and admittedly the petitioner is not the owner of the seized vehicle. It has next been submitted that the procedure of seizure was not followed. It has lastly been submitted that the petitioner carries six criminal antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Kankarbagh P.S. Case No. 1074 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close



relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Senior Superintendent of Police, Patna within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.



7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

manoj/-

U		T	
---	--	---	--

