

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14691 of 2026

Arising Out of PS. Case No.-465 Year-2025 Thana- KOTWA District- East Champaran

Abhay Kumar @ Munna Kumar Son of Baidynath Chaudhary @ Baithnath
Chaudhary R/o Vill. - Mahadiya, P.S. - Sahebganj, Distt. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, A.P.P.

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

ORAL ORDER

2 27-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kotwa
P.S. Case No. 465 of 2025, 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 432
liters liquor was recovered from Bolero. Petitioner was arrested
on the spot.

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. Learned counsel
further submitted that the petitioner is neither owner nor driver



of the vehicle. The petitioner was found sitting in the alleged vehicle because he has no knowledge and concern regarding nature of goods loaded on the vehicle. The petitioner is in custody since 31.12.2025 and has got one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kotwa P.S. Case No. 465 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the



prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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