

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15874 of 2026

Arising Out of PS. Case No.-5 Year-2025 Thana- CHEWARA District- Sheikhpura

Kamlesh Kumar S/o- Amrit Yadav R/v- Krishnapatti Ward No- 11 PS-
Phulparas District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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

ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Chewara P.S. Case No. 5 of 2025 instituted for the offences punishable under Sections 30(a), 32, 41(1) of the Bihar Prohibition and Excise Act and Sections 336(3), 340(2), 338 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 564 litres of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. It is further submitted that the name of the petitioner has transpired as being the owner of the vehicle in question and has no



knowledge regarding the goods loaded in the vehicle. Petitioner has no concern with the alleged recovery. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has no criminal antecedent. 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, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Chewara P.S. Case No. 5 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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