

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16116 of 2026

Arising Out of PS. Case No.-239 Year-2025 Thana- CHAPRA RAIL P.S. District- Saran

Anil Kumar S/O Suresh Paswan R/O Village- Shahkund Ward No.- 11 P.S-
Shahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Chetna, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2026 Heard Ms. Chetna, learned counsel for the

petitioner and Mr. Shyam Bihari Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.11.2025 in connection with Chapra (Rail) @ Rail P.S.
Chapra @ Chapra G.R.P.S. Case No. 239 of 2025, F.I.R. dated
27.11.2025 for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

3. Recovery is of 92.25 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
F.I.R is false and fabricated and the petitioner has not committed
any offence as alleged in the F.I.R. She further submits that as



per the F.I.R. 92.25 liters of foreign liquor and one mobile phone has been recovered from the conscious possession of the petitioner. She further submits that in fact, the petitioner was travelling in train in question and the illicit liquor was recovered from the train in question but the petitioner was falsely been implicated in the present case showing recovery has been made from the petitioner. She further submits that there is non-compliance of Section 103/105 of the BNSS, 2023. She further submits that the police after investigation submitted charge sheet against the petitioner and the petitioner is in custody since 27.11.2025.

5 Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Section 103/105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-03, Saran (Chapra) in connection with Chapra (Rail) @ Rail P.S. Chapra @ Chapra G.R.P.S. Case No.



239 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

Vanisha/-

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

