

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16776 of 2026

Arising Out of PS. Case No.-6 Year-2026 Thana- PIPRAKOTHI District- East Champaran

Md. Chand @ Chand Babu Son of Md. Muslim @ Md. Meer Muslim
Resident of Village- Madhuchhapra, P.S.- Piprakothi, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Shanti Bhushan Singh, learned counsel
for the petitioner and Ms. Indu Kumari Srivastava, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.01.2026 in connection with Piprakothi P.S. Case No. 06 of
2026, F.I.R. dated 04.01.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 104.370 liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery of



104.370 liters of illicit liquor has been made from the Scorpio vehicle in question. He further submits that the petitioner is neither the owner nor the driver of the said vehicle in question and he was apprehended from the place of occurrence on the basis of suspicion. There is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 05.01.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the illicit liquor has been recovered and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner, petitioner is neither the owner nor the driver of the vehicle in question 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. 1, Civil Court, East Champaran in connection with Piprakothi P.S.



Case No. 06 of 2026, 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)

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