

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18463 of 2026

Arising Out of PS. Case No.-502 Year-2025 Thana- KAUWAKOL District- Nawada

Prem Kumar @ Prem Raj @ Lalan Son of Dashrath Yadav Resident Of
Village- Telhata Dhamni, P. S. -Kawakol, District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sheo Nandan Prasad, Advocate
For the State	:	Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Sheo Nandan Prasad, learned counsel for
the petitioner and Mr. Pradeep Narain Kumar, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
07.02.2026, in connection with Kawakol P.S. Case No. 502 of
2025, F.I.R. dated 14.12.2025 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition & Excise
Act, 2022.

3. Recovery is of 800 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely 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 recovery has been



made from the motorcycle in question and the petitioner has been made accused in the light of torch. As per allegation, the petitioner and other co-accused person have escaped from the place of occurrence. Learned counsel for the petitioner further submits that in fact the petitioner was not present at the place of occurrence and merely on the basis of suspicion the petitioner has been made accused in the present case and recovery has been made from Manpur forest. He further submits that the petitioner is neither the owner nor the driver of the vehicle in question and petitioner has no concern at all with the alleged recovery of illicit liquor and the petitioner is in custody since 07.02.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that altogether 800 litres of country made liquor was recovered from the place of occurrence and the petitioner carries one more case of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court No. 02, Nawada in connection with Kawakol P.S. Case No. 502 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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