

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23087 of 2026

Arising Out of PS. Case No.-31 Year-2024 Thana- KARPURIGRAM District- Samastipur

Kanchan Kumar Nishad @ Kanchan Nishad Son of Late Laxman Nishad @
Laxman Mallah R/o Vill. - Bhalgora, Project no. 5, Near Shiv Mandir, P.S. -
Jharia, Dist. - Dhanbad, Jharkhad - 82811.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a), 32, 36 and 41 of the
Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case under the Excise Act
and allegation is of recovery of 3372.84 litres of liquor from a
truck.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized truck.



It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his driver in connivance with the consignee would misuse the vehicle in the manner as alleged. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence and is in custody since 20.02.2026.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on regular bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Karpoorigram P. S. Case No.31 of 2024.

7. The application stands allowed.

(Satyavrat Verma, J)

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