

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24427 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- CHAPRA RAIL P.S. District- Saran

Arnav Prasad @ Aarav Kumar S/o Shiv Kumar Prasad R/O Village -
Belwaganj Abdullapur, P.S -Laheriya Sarai, Dist. - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 11.02.2026 in connection with Chapra Rail P.S. Case No. 22 of 2026 for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. The prosecution case, in brief, is that on 10.02.2026, the police got secret formation that a large consignment of liquor was kept in Train No. 12562, Coach No. A1, near Seat No. 03 On the said information, the informant alongwith police personnel reached, at the Chapra Railway platform. When the train arrived at Platform No. 02, the, information formation was jointly verified, and near Seat No. 03 of Coach A1, 04. trolley bags and 02' pithu bags were found.



Upon opening and checking them, all the bags, were found containing foreign liquor. The person sitting at Seat No. 03 was detained and questioned. He admitted that the trolley bags and liquor belonged to him and that he was carrying them to Darbhanga. Upon inquiry, he disclosed his name as Arnav Prasad (petitioner here). On searching, the police recovered total 190.380 litres of illicit foreign liquor and two mobiles from the spot.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and it appears from the FIR and seizure list that altogether 190.380 litres of illicit foreign liquor was recovered from the train in question and petitioner has been made an accused on the basis of suspicion and apart from aforesaid, there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and seizure list witnesses are police personnel and the petitioner is in custody since 11.02.2026.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that recovery has been made from the possession of the petitioner and petitioner has antecedent of two more cases other than the present case but



fairly submits that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, 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 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Chapra Rail P.S. Case No. 22 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)

Gaurav Sinha/-

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