

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33445 of 2026

Arising Out of PS. Case No.-435 Year-2025 Thana- TEGHRHA District- Begusarai

Chandan Kumar S/o Police Yadav Resident of Village- Pipra Devas Baba
sthan ward no. 07, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2026 Heard Mr.Braj Bhusan Poddar, learned counsel for
the petitioner and Mr.Uma Shankar Prasad Singh, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since
23.03.2026 in connection with Teghra P.S. Case No. 435 of
2025, F.I.R. dated 21.12.2025 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 45 liters of illegal country made
liquor.

4. Learned counsel appearing for the petitioner
submits that that it appears from the FIR that nothing has been
recovered from conscious possession of the petitioner rather the
recovery has been made from the motorcycle in question and the



petitioner has been identified by the local chowkidar and except the aforesaid, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 23.03.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries nine more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, recovery has been made from the motorcycle in question and there is non-compliance of Sections 103 and 105 of 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 learned Exclusive Special Excise Judge I, Begusarai in connection with Teghra P.S. Case No. 435 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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