

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31930 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- KAMTAUL District- Darbhanga

Pankaj Choupal, S/o Late Shiv Lal Choupal, R/o Village- Gopalpur Ward No. 13, PS - Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Kamtaul P.S. Case No. 45 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion due to his previous antecedents. It is submitted that no incriminating article was recovered from the conscious possession of the petitioner and he has no concern with the alleged seized liquor or the place from where the recovery was made. Learned counsel further submits that the petitioner was returning home from Mohammadpur Market after purchasing household articles when he was apprehended by the police and falsely implicated in the present



case. It is also submitted that there has been complete non-compliance of Section 103 of the BNSS inasmuch as both seizure witnesses are police personnel despite the alleged place of occurrence being situated in a densely populated locality. Learned counsel further submits that the petitioner is in custody since 02.03.2026 and is on bail in all the antecedent cases.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Heard both sides and perused the FIR and the trial court's order. Though the petitioner has criminal antecedents in eight cases, however, considering his period of custody and mainly, the fact that the investigation against the petitioner has been completed and the seizure witnesses are police officials, the release of the petitioner will not affect the prosecution in any manner, in my opinion, the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kamtaul P.S. Case No. 45 of 2026 on the following conditions:-

5.1. As the investigation against the petitioner has



been completed, if the trial court proceeds to frame the charges against the petitioner, then the petitioner shall be released after the framing of charges.

5.2. In case the trial court does not frame charges against the petitioner within the next one month on account of any legal reason, then the petitioner shall also be released on bail.

(Shailendra Singh, J)

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