

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37102 of 2026**

Arising Out of PS. Case No.-135 Year-2026 Thana- EXCISE SHERGHATI District- Gaya

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Kapil Kumar @ Kapil Chaudhary S/o Vinod Chaudhary @ Vinod Chaudhri
R/o Village- Nawadih Panari, PS- Hunterganj, Dist- Chatra, Jharkhand

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate
For the Opposite Party : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-06-2026 Heard the parties.

2. The petitioner seeks anticipatory bail in connection with Excise Sherghati P.S. Case No.135 of 2026 registered for the offence under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The recovery is of 33.525 liters of foreign liquor from a motorcycle. The name of the petitioner has come in the confessional statement of co-accused. He is accused in one more criminal case of similar nature.

4. Learned counsel for the petitioner submits that the petitioner is ready to donate Rs.25,000/- in some charitable organization without accepting his guilt.



5. Learned APP appearing for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and also the submission of learned counsel for the petitioner, let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 Exclusive Special Excise Court No.03, Gaya, in connection with Excise Sherghati P.S. Case No.135 of 2026, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. This is also subject to the condition that the petitioner shall deposit an amount of Rs.25,000/- in Ramakrishna Math, Village - Jharha (near Matua Pahar), P.O.- Gurua, District- Gayaji, Bihar 824205 and produce the receipt of the same before the Court below at the time of furnishing bail bonds. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by him.

8. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at



any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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