

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38892 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Chakki District- Buxar

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Krishna Kumar S/O Lal Babu Prasad Resident of village- Brahmpur, Ward
no. 7, PS- Brahmpur, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr. Arun Kumar Gupta, learned counsel for

the petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.03.2026 in connection with Chakki P.S. Case No. 18 of 2026,
F.I.R. dated 15.03.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 47.5 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner clean antecedent and he has falsely been implicated in
the present case. He further submits that it appears from the
F.I.R. as well as seizure list that nothing has been recovered
from the conscious possession of the petitioner rather the
recovery has been made from motorcycle in question and the



petitioner is not the owner of the motorcycle in question and he has been made accused merely on the basis of suspicion. He further submits that seizure list witnesses are police personnel so there is non-compliance of Section 103 and 105 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.03.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Exclusive Special Excise Court No.-2, Buxar in connection with Chakki P.S. Case No. 18 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)

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