

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41133 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

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Rupesh Kumar @ Andwa S/O Satrudhan Prasad Chowdhary @ Satrugan
Prasad @ Shatghan Prasad R/O Vill.- Islampur Tola, P.S.- Dhaka, Dist.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of sixteen cases out of which eight
cases are under the Excise Act and is in custody since
27.09.2025 and allegation is of recovery of 54 litres of liquor
from the house of Anil and 488 litres of liquor from a place near
the pond.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged



recovery is from a place which does not belong to the petitioner and petitioner has no concern or relation with Anil. It is further submitted that petitioner came to be implicated based on the secret information which is the easiest way to implicate someone. It is next submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically either at the instance of the Chawkidar, local person, confessional statement or secret information without holding a proper investigation of the case.

5. Mr. Rabindra Kumar, learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Kundwachainpur P.S. Case No. 245 of 2025.

(Satyavrat Verma, J)

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