

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42716 of 2026

Arising Out of PS. Case No.-447 Year-2024 Thana- GHORASAHAN District- East
Champaran

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Rupesh Kumar @ Andwa S/O Satrudhan Prasad @ Satrugghan Prasad @
Shatghan Prasad @ Shatughan Chaudhary R/O Vill.- Islampur tola, Azad
Chowk, P.S- Dhaka, Dist -East Champaran

... .. Petitioner/s

Versus

The state of bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr. Prateek Tandon, learned counsel for the

petitioner and Mr. Syed Mojibur Rahman, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
25.09.2025, in connection with Ghorasahan P.S. Case No. 447
of 2024, F.I.R. dated 25.11.2024 registered for the offences
punishable under Sections 30(a), 41(1) of the Bihar Prohibition
and Excise Act, 2016.

3. Recovery is of 46.800 litres of Nepali *country*
made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely 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 recovery has been made from the car in question and altogether 46.800 litres of Nepali country made liquor was recovered from the car in question and petitioner has no concern at all with the alleged recovery of illicit liquor or the car in question. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.09.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries sixteen more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, East Champaran, Motihari in



connection with Ghorasahan P.S. Case No. 447 of 2024, subject to the following conditions :-

(1) 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 her criminal antecedents, 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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