

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48859 of 2026

Arising Out of PS. Case No.-244 Year-2026 Thana- KAUWAKOL District- Nawada

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Kaushal Kumar Son of Yadu Yadav Resident of Village- Liladhih, P.S.-
Kawakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitish Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application for anticipatory bail arises out of Kawakol P.S. Case No. 244 of 2026 for the offence punishable under Section 317(5), 3(5) of the IPC and under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution case, the police got information that seven to eight motorcycles are carrying liquor, they were intercepted, the persons who were driving the motor cycles tried to flee away and five of them managed to flee away but three motor cycles were found there. Altogether 300 litres of country-made liquor was recovered from the motorcycles from which the petitioner and other co-accused persons were seen fleeing.



4. Learned counsel for the petitioner submitted that the petitioner was not apprehended on the spot and none of the motor cycles recovered on the alleged occurrence belongs to the petitioner. It has further been submitted that on the basis of suspicion, and an information received by the informant, the name of the petitioner has surfaced in the case. It has further been submitted that procedure prescribed under Section 105 of the B.N.S.S. has not been followed. It has further been submitted that there is no recovery from the conscious possession of the petitioner. Lastly, it has been submitted that although the petitioner is accused in one another case of similar nature in which he is on bail.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances as well as nature of material against 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 Court, Excise-2, Nawada in connection with Kawakol



P.S. Case No. 244 of 2026, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita.

8. This application stands allowed.

(Praveen Kumar, J)

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