

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49328 of 2026

Arising Out of PS. Case No.-245 Year-2026 Thana- KADWA District- Katihar

Shahbaz Alam @ Md. Shahbaz Alam S/O Manjoor Alam @ Manzur Alam
R/O Village- Murajpur (Surajpur), P.S- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kadwa P.S. Case No.
245 of 2026 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 177 liters
liquor was recovered from car and the petitioner was arrested
on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is



further submitted that petitioner is the driver of the vehicle in question and he had no concern with regard to nature of goods kept in the vehicle. The petitioner is in custody since 06.06.2026 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kadwa P.S. Case No. 245 of 2026.

(Rudra Prakash Mishra, J)

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