

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89877 of 2025

Arising Out of PS. Case No.-918 Year-2025 Thana- Excise P.S. District- Kishanganj

1. Md Nausad @ Md Naushad S/O Md Abul Hasan R/O Vill.- RampurLahi,
Ward no. - 4,P.S- Shankarpur, District- Madhepura
2. Chandan Kumar S/O Surendra Yadav R/O Vill.- SahugarhHulastola,P.S-
Madhepura,District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard the learned counsel for the petitioners and

learned APP for the State.

2. Petitioners, who are in custody, seeks bail in
connection with Madya Nisedh P.S. Case No. 918 of 2025,
Special Case No. 935 of 2025registered for the offence(s)
punishable under Section(s) 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution case, during patrolling,
the police intercepted a car and apprehended two persons
who disclosed their names as Md. Naushad and Chandan
Kumar (the petitioners). Upon search, a total of 300.480



litres of foreign liquor was recovered from the said car.

4. The learned counsel for the petitioners submits that petitioner no. 1 was the driver of the car and petitioner no. 2 was the co-driver and that both were unaware of the alleged consignment kept in the vehicle. It is further submitted that neither of the petitioners is the owner of the car and that they have been falsely implicated in the present case by the police. The learned counsel lastly submits that the petitioners have clean antecedent and they are in custody since 13.11.2025.

5. The petitioners are willing and undertakes to deposit a sum of Rs. 2,500/- each in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. The learned A.P.P. has vehemently opposed the prayer for bail.

7. Regard being had to the facts and circumstances of the case, let the petitioners, 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 court below where the case is pending/successor court in connection Madya Nisedh P.S. Case No. 918 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative and the other shall be the local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

8. The bail bond of the petitioners shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Lawyers’ Association Welfare Benevolent Fund.

9. Accordingly, the prayer for bail is allowed.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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