

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33355 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- SAHPUR District- Bhojpur

Chandan Singh @ Chandan Kumar Singh, Son of Kamal Singh, Resident of
Village- Sarna, P.S.- Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
		Mr. Satyendra Pd. Singh, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Shahpur P.S. Case No.59 of 2025 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 86 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that the alleged recovery of illicit liquor as per seizure list was made from road side bush, which is an open place and accessible by general public and, therefore, it cannot be said that recovery



of illicit liquor was made from physical possession of this petitioner. It is submitted that the name of petitioner transpired in this case on the basis of suspicion raised by local choukidar. Petitioner is said to be involved in three more criminal cases of similar nature, where he is on bail.

5. Learned APP opposed the prayer for bail.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 the learned Exclusive Special Excise Judge, Excise Court No.-II, Bhojpur, Ara in connection with Shahpur P.S. Case No.59 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS with further condition:-

(i) That petitioner shall not indulge in similar nature of cases till the conclusion of



trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J.)

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