

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35730 of 2025**

Arising Out of PS. Case No.-68 Year-2025 Thana- BADHAILA District- Rohtas

Chandan Kumar S/o- Rohit Paswan @ Rohit Ram Resident of Village-  
Kushdhar Tola, P.S.- Baghaila, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No.13, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      28-05-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act.

3. Perusal of the first information report and the  
seizure list would go to show that total 36 liters of country  
made Mahua liquor is said to have been recovered from the  
courtyard of the house of the petitioner and the petitioner was  
arrested from outside the house.

4. It is submitted by learned counsel for the petitioner  
that there is no recovery from the conscious or physical  
possession of the petitioner. The house from which the seizure  
has been made is a joint family property. The house of the



petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the courtyard, hence no liability can be fixed on the petitioner. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. Petitioner has no criminal antecedent and has been languishing in custody since 04.04.2025.

5. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged 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 Court below where the case is pending/successor Court in connection with Baghaila P.S. Case No. 68 of 2025.

**(Soni Shrivastava, J)**

Trivedi/-

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