

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89198 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- PANJWARA District- Banka

Chhotu Prasad Chouhan S/O Janardan Prasad Chauhan, Resident of Village-
Rajvan, P.s.- Panjwara Barahat, Dist.- Banka Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
Mr. Saurabh Raj, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 9 litres of illicit foreign liquor from a white colour bag carried by the pillion rider on a motorcycle bearing Reg. No. BR10-AF-5870. Co-accused Bikash Kumar and Viru Kumar, who were driver and pillion rider of the motorcycle, were apprehended on the spot. Petitioner is registered owner of the seized motorcycle.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case being the registered owner of the motorcycle in question. Further submission is that on the date of occurrence, the motorcycle of the petitioner was taken by co-accused Bikash Kumar on the pretext that he has to go for pooja at Mandar Temple at Bounsi. Petitioner had no knowledge about



the misuse by the said co-accused. Petitioner was neither present on the spot nor was he driving the said motorcycle or was the pillion rider. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the above named petitioner be released on bail, in the event of arrest or surrender before the Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-2, Banka, in connection with Panjwara P.S. Case No. 112 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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