

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11727 of 2026

Arising Out of PS. Case No.-462 Year-2025 Thana- SIRDALA District- Nawada

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Bhola Chauhan S/O Sitaram Chauhan @ Siram Chauhan R/O Vil.- Rabio
Beldari,P.S. - Sirdalla, DISTRICT- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, A.P.P.

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

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Sirdalla P.S. Case No. 462 of 2025, for the offences under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1470
litres of liquor was recovered from car and behind the house of
petitioner.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case on the basis of
disclosure made by local people. The petitioner has got no
concern with the alleged recovery of liquor. The petitioner has
one criminal antecedent. The name of the petitioner has
transpired as being owner of the vehicle in question and he has
no knowledge regarding the goods loaded on the vehicle.



Learned counsel for the petitioner further submitted that the recovery has been made behind the house of petitioner, which is an open place and is accessible to public at large. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner.

5. Learned APP 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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Sirdalla P.S. Case No. 462 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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