

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15717 of 2026

Arising Out of PS. Case No.-130 Year-2025 Thana- PANJWARA District- Banka

Lal Bahadur Chouhan S/o Narsingh Chouhan Resident of village -
Dhanukatand, P.S - Barahat , District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-03-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Panjwara P.S. Case No. 130 of 2025 registered on 13.10.2025 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, recovery of 100 liters country-made illicit liquor from the motorcycle of the petitioner is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is submitted that nothing has been recovered from the conscious possession of the petitioner; rather, he has been implicated in the present case solely on the ground that he is the registered owner of the motorcycle from which the alleged recovery has been



made. The petitioner has never committed such offence, but his name has been dragged in the present FIR only on the basis of suspicion. It is further submitted that the petitioner is accused in two more criminal cases.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is accused in two more criminal cases and out of two one case is under Excise Act. The petitioner the registered owner of the motorcycle from which the alleged recovery has been made.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Panjwara P.S. Case No. 130 of 2025, pending before the learned Special Judge Exclusive Excise Court -2, Banka, is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, considering the ingredients of the Excise Act against the petitioner, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

