

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23431 of 2026

Arising Out of PS. Case No.-126 Year-2026 Thana- Excise P.S. District- Lakhisarai

Subhash Chaudhary S/O Late Govind Chaudhary Resident of Village- Bari
Dargah, Purani Bazar, Ward No.- 8, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30 (a) of the Excise Act.

3. The case of the prosecution is that altogether 750 ml of country made liquor was recovered from a bag.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of this petitioner. It is further submitted that all the witnesses to the seizure list are police personnel and the police have not complied the mandatory provision of Section 105 of the BNS at



the time of seizure. Moreover, the petitioner is languishing in judicial custody since 28.02.2026 having 4 criminal antecedents.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 126 C2/26 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge VII cum Exclusive Special Excise Court No. 2, Lakhisarai/concerned Court, subject to the condition that the petitioner shall not indulge in similar nature of offence in near future.

(Ashok Kumar Pandey, J)

Jagdish/-

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

