

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24874 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- Excise P.S. District- Siwan

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Jitendra Chaudhary S/o Late Ramram Chaudhari Resident of Village -
Hasanpura Pasi Tola, ward no. 15, P.S. - M.H. Nagar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-04-2026 Heard Learned Counsel for the petitioner and

Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Excise Siwan P.S. Case No.91 of 2026, for the offence punishable under Sections 30(a) & 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, the total recovery of 80 litres of *country-made* liquor have been alleged to be made from a abandon place, which 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. Counsel also submits that petitioner was not present on the spot and his name has been transpired only due to confessional statement of local villagers. He further submits that criminal antecedent of the petitioner is clean. He further submits that the alleged recovery has been made from open place and nothing has been



recovered from conscious possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Judge (Excise) Court No.2, Siwan, in connection with Excise Siwan P.S. Case No.91 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023

And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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