

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31603 of 2026

Arising Out of PS. Case No.-312 Year-2026 Thana- CHAPRA TOWN District- Saran

1. Kanhaiya Paswan (Chaudhary) @ Kanhaiya Chaudhary S/O Late Lal Bahadur Paswan (Chaudhary) Resident of Village - Sani Bagahi, P.S.- Basantpur, District - Siwan.
2. Sandeep Kumar Chaudhary S/O Krishna Chaudhari Resident of Village - Sani Bagahi, P.S.- Basantpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for bail in connection with Nagar P.S. Case No.312 of 2026 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a tempo altogether 130 liters of country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that nothing has been recovered from the possession of these petitioners. The petitioners are merely



passenger on the said tempo. They were having no knowledge regarding the alleged liquor. It has further been submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. It has further been submitted that the petitioner no.1 is having criminal antecedent of two cases and petitioner no.2 is having criminal antecedent of one case and they are in judicial custody since 01.04.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the court of learned 1st Exclusive Special Excise Court, Saran at Chapra, in connection with Nagar P.S. Case No.312 of 2026.

(Ashok Kumar Pandey, J)

Durgesh/-
Rohit/-

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