

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35878 of 2026

Arising Out of PS. Case No.-118 Year-2026 Thana- UCHKAGAON District- Gopalganj

Jitendra Chaudhary S/o Late Hira Chaudhary Resident of village - Kabilaspur,
Police Station - Thawe, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha-1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the seizure list would go to show that 59.8 liters of country made liquor is said to have been recovered from a concealed compartment (basement) made in the three wheeler cart.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the conscious or physical possession of the petitioner. The petitioner is neither the owner of the said three wheeler cart nor has any concern with the said seizure. There is violation of the mandatory provisions of the



search and seizure as there is no independent witness to the seizure list. Petitioner has been languishing in custody since 10.03.2026.

5. Taking into consideration the fact and circumstances of the case and also considering the fact that the petitioner is not the owner of the said cart and there is no recovery from his conscious or physical possession, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Uchkagaon P.S. Case No. 118 of 2026, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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