

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36817 of 2026

Arising Out of PS. Case No.-237 Year-2026 Thana- KOCHADHAMAN District- Kishanganj

Shibu Chauhan Son of Sagur Chauhan @ Chhangur Resident of Faringola,
P.S.- Kishanganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Raj Kumar, learned counsel for the

petitioner and Mr. Brajendra Nath Pandey, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.05.2026 in connection with Kochadhaman P.S. Case No. 237
of 2026, F.I.R. dated 29.04.2026 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. Recovery is of 91.5 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that nothing has been
recovered from the conscious possession of the petitioner rather



the recovery of altogether 91.5 liters of foreign liquor has been made from the Toto in question and petitioner has been made accused in the present case merely on the ground that he is the driver of the said Toto. He further submits that the petitioner has no concern at all from the recovery of the illicit liquor or the Toto in question. The petitioner is in custody since 30.05.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise-I) Kishanganj in connection with Kochadhaman P.S. Case No. 237 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. And further condition that the court below 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 court below 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.

(Rajesh Kumar Verma, J)

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