

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40118 of 2026

Arising Out of PS. Case No.-962 Year-2025 Thana- Excise P.S. District- Nawada

Chhote Lal Ram Son of Karu Ram Resident of Village - Ektara (Sughari),
Police Station - Rajaili, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Excise P.S. Case No. 962 of 2025 corresponding to P.T.N. No. 3086 of 2025 registered for the offence under Section 30(a) Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 4 liters of IMFL/country-made liquor from the dickey of motorcycle.

4. It is submitted by learned counsel that the motorcycle in question was given to one family friend namely, Raj Kumar, who misused the motorcycle without knowledge of this petitioner.



5. It is submitted that admittedly the recovery of illicit liquor was not made from conscious physical possession of the petitioner. Explaining criminal antecedent, it is submitted that petitioner claims clean antecedent.

6. Learned APP opposed the prayer of anticipatory bail to the petitioner.

7. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, who is the man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 Exclusive Special Excise Court - 2, Nawada in connection with Excise P.S. Case No.962 of 2025 corresponding to P.T.N. No. 3086 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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