

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40122 of 2026**

Arising Out of PS. Case No.-171 Year-2026 Thana- OBRA District- Aurangabad

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Jitendra Chauhan @ Jitendra Kumar, S/O Kamlesh Chauhan @ Kamlesh  
Nonia, R/O Village- Kurma, Kurmha, P.S.- Jamhor, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Amit Anand, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      23-06-2026                      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 Obra P.S. Case No.171 of 2026 registered under Sections 30(a), and 30(c) of the Bihar Prohibition and Excise (Amendment) Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 255 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged liquor was found in an abandoned hut situated near a pond which is an open place and accessible by general public. It is submitted that



admittedly the recovery of illicit liquor was not made from conscious physical possession of this petitioner. The petitioner claimed clean antecedent.

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

6. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, 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 Special Judge, Excise, Court- II, Aurangabad ,in connection with Obra P.S. Case No.171 of 2026, 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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