

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45557 of 2026

Arising Out of PS. Case No.-269 Year-2024 Thana- SONBERSA District- Sitamarhi

Chandramohan Kumar Chandan @ Chandramohan Ku. Chandan Son of Braj Kumar Ram Resident of Village- Andhari, ward no. 02, P.S.- Benipatti, Dist.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhavesh Kumar Sah, Adv.
For the Opposite Party : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR and apprehending his arrest in connection with Sonbarsa P.S. Case No.269 of 2024 registered under Section 317 (5) of Bharatiya Nyaya Sanhita (hereinafter referred as 'B.N.S.', 2023) and 30(a) of 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 270 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that recovery of alleged illicit liquor was made



from two bikes and an alto car. It is also submitted that name of petitioner arrayed solely for the reason that petitioner is the registered owner of one of the said motorcycle bearing Registration No. BR07AC 2336, which was involved in carrying illegal consignment of liquor. The said motorcycle was taken by one of the relative of petitioner and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is pointed out that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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 the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean 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, Exclusive Excise Court- 1, Sitamarhi, in connection with Sonbarsa P.S. Case No.269 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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