

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46060 of 2026

Arising Out of PS. Case No.-98 Year-2026 Thana- SRIPUR District- Gopalganj

Om Prakash Chaudhary @ Omprakash Chaudhary Son of Late Rangilal Chaudhary Resident of Village- Sahpur Batarha, Police Station- Sripur (Shripur), District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shashank Shekhar, Adv.
For the Opposite Party/ : Mr. Akbar 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 named in the FIR and apprehending his arrest in connection with Shripur(Sripur) P.S. Case No.98 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 6.8 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 behind the house of petitioner which is an open place



accessible to general public. It is also submitted that name of petitioner arrayed solely on the disclosure made by the local *chowkidar*. It is further submitted that petitioner was neither present at the spot nor is he in any way connected with the seized liquor and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further pointed out that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Explaining criminal antecedent, it is submitted that the petitioner found involved in two criminal cases, where he is on bail.

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, 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 District and Additional Sessions Judge XIII-cum-Special Excise Court No.1, Gopalganj, in connection with Shripur(Sripur) P.S. Case No.98 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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