

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47440 of 2026

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

Chandan Kumar @ Chandan Paswan @ Chandan Pasvan, Son of Kamdev
Paswan, Resident of village-Ratvar, P.S.- Obara, Dist- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Asha Devi, 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 Obara P.S. Case No.171 of 2026 registered under Section 30(a)(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 255.6 liters of IMFL/country-made liquor and 100 liters of spirit.

4. It is submitted by learned counsel appearing for the petitioner that the petitioner has been implicated with this case on this basis of disclosure made by Mahal



Chowkidar. It is further submitted that the recovery of alleged illicit liquor was not made from conscious physical possession of this petitioner rather from a hut, which is accessible by general public and, therefore, it can be safely said that the recovery was not made from conscious physical possession of this petitioner. It is submitted that the seizure list was not supported by independent witnesses rather by police personnel. While concluding argument, it is submitted that the petitioner found involved in five more 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 of note of 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 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.)

Sanjeet/-

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