IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76755 of 2026
CNR No. BRHC011078662026
Arising Out of PS. Case No.-863 Year-2026 Thana- Excise P.S. District- Aurangabad

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Sunil Chakarvarti @ Sunil Chakraborty Son of Late Asit Varun Chakravarti R/o Village- 3H Road, Kunja Para, Belgachhiya, P.S.- Lilua, District- Hawda (West Bengal).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Mukul Kumari
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard the parties.

2. The petitioner seeks bail in connection with Excise P.S. Case No. 863/2026 registered for the offences under Section 30 (a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R. and is in custody since 23.08.2026.

4. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 5990.400 litres of IMFL/country made liquor.

5. Learned counsel appearing on behalf of the

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petitioner submitted that recovery of illicit liquor was made from the truck bearing reg. no. UP 75 DT 0211. It is further submitted that petitioner is not the owner of the said truck, rather he was hired to drive the truck and was unaware about the goods present. It is submitted that recovery was not made from conscious physical possession of the petitioner, who is a man of clean antecedent. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnels.

6. Learned APP, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the physical possession of this petitioner, coupled with the fact as petitioner is in custody since 23.08.2026, accordingly, petitioner, above named, is directed to be released on bail in connection with Excise P.S. Case No. 863/2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two

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sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise-II, Aurangabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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