IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75319 of 2026

CNR No. BRHC011093202026

Arising Out of PS. Case No.-193 Year-2026 Thana- TAJPUR District- Samastipur

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Chandan Kumar, son of Sanjay Sahni @ Sanjay Sahani, resident of Village - Harpur Bhindi, Harpurbhindi, Police Station - Tajpur, District - Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Tajpur P.S. Case No.193 of 2026 dated 26.08.2026, instituted under Sections of the 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 15 litres country made liquor from the back side of the house of the petitioner.

4. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the said liquor was recovered from backside of the house of the petitioner which is an open place and accessible to all. Lastly, it is submitted that the

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petitioner has one criminal antecedent of similar nature.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Samastipur in Tajpur P.S. Case No.193 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father. mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the pe-

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titioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and (v) that the petitioner within two weeks from the date of furnishing bail bonds in the Court conerned shall appear before the SHO of his local area along with a copy of this order and thereafter shall appear before him every fortnightly to mark his attendance till the framing of charge in the case by the trial Court.

7. The application stands allowed.

(Khatim Reza, J)

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