IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79544 of 2026

CNR No. BRHC011146632026

Arising Out of PS. Case No.-194 Year-2026 Thana- Excise P.S. District- Bhojpur

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Chandan Kumar S/O Suresh Singh Resident of Village- Giridhar Baraon, Ward No. 6, Police Station- Sonvarsha, District-Buxar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manish Rai Sharma, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

2 18-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Excise Ara P.S. Case No. 194 of 2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, 867.600 litre illicit liquor was recovered from Mini Oil Tanker in question and petitioner was apprehended at the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and he has been falsely implicated in this case. Petitioner is in custody since 16.09.2026 and he bears no

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criminal antecedent. He further submits that petitioner is not owner of the said vehicle in question rather petitioner is merely a driver and he has to follow the instruction of the owner of the vehicle in question to earn his livelihood. Petitioner had no knowledge that illicit liquor had been kept in the vehicle in question. Petitioner has no concern with the seized liquor. Nothing has been recovered from conscious possession of the petitioner. Petitioner has nothing to do with the alleged recovery. Seizure list has not been prepared as per law. Hence, the petitioner deserves bail

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner is FIR named accused and he was apprehended at the spot. Hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. - 2, Bhojpur at Ara in connection with

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Excise Ara P.S. Case No. 194 of 2026, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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