IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78994 of 2026

CNR No. BRHC011154742026

Arising Out of PS. Case No.-304 Year-2025 Thana- OBRA District- Aurangabad

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Chhotu Kumar Son of Krishna Ram R/O Vill.- Navner, P.S.- Obra, District- Aurangabad (Bihar)

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Aman Vishal, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 04-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP for the State.

2. The accused-petitioner seeks bail in connection with Obra P.S. Case No. 304 of 2025 registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R and in custody since 12.09.2026.

4. The allegation against the petitioner is to have in possession of **120 liters** of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

5. Learned counsel appearing on behalf of the

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petitioner submitted the alleged illicit liquor was recovered from one motorcycle bearing Registration No. BR26B-8219. It is submitted that petitioner was neither driver nor owner of the said seized motorcycle and no incriminating articles has been recovered from his conscious physical possession. Petitioner claimed clean antecedent.

6. While concluding argument, it is submitted that investigation in this case has already completed, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. appearing on behalf of the State, opposes the prayer for regular bail.

8. In view of the aforesaid factual submission and by taking note of the fact as the recovery of illicit liquor from physical possession of the petitioner appears *prima-facie* doubtful, coupled with the fact that investigation of this case has already concluded, where petitioner, who is a man of clean antecedent, remains in custody since 12.09.2026, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/-

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(Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2, Aurangabad (Bihar)/concerned court, in connection with Obra P.S. Case No. 304 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

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