

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7610 of 2025

Arising Out of PS. Case No.-89 Year-2024 Thana- AZIMABAD District- Bhojpur

1.

Dindayal Chaudhary, Male, aged about 70 years, Son of Dawarika Chaudhary
2.

Pintu Chaudhary, Male, Son of Rampati Chaudhary
- Both are Resident of Village- Mahandaura, P.S.- Azimabad, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s

:

Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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07-03-2025

Heard Mr. Raju Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Azimabad Case No. 89 of 2024 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Altogether 20 litres of country made liquor were recovered from near the bank of Sone river situated at village Mahandaura.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have falsely been implicated in the case. Petitioners have no concern with the seized liquor nor they are involved either in trade of illicit liquor or in the manufacturing of illicit liquor. The place of recovery is an open place which is accessible to anyone. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the facts and circumstances of the case, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction



of learned Exclusive Special Judge Excise Court no. I, Bhojpur at Ara, in connection with Azimabad Case No. 89 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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