

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6022 of 2025

Arising Out of PS. Case No.-262 Year-2024 Thana- JANTA BAZAR District- Saran

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Ram Babu Chaudhary Son of Late Bhagwan Chaudhary Resident of
Sobhipur, P.S.- Janta Bajar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mirtunjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Janta
Bajar P.S. Case No. 262 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 20 liters of illicit country-made liquor from the house of
the petitioner. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The



petitioner is living in a joint family house and had no knowledge about the illicit liquor being kept in his joint house. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and is languishing in judicial custody since 07.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Janta Bajar P.S. Case No. 262 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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