

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9637 of 2025

Arising Out of PS. Case No.-151 Year-2018 Thana- SHERGHATI District- Gaya

Pradeep Kumar Chaudhary @ Pradeep Chaudhary Son of Nanhaku Chaudhary Resident of Village - Kharauna, P.S. - Hunterganj, District - Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate.
For the State : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Sherghati P.S. Case No. 151 of 2018, dated 21.03.2018 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2016.

3. As per allegation, there is recovery of 480 litres of *Mahua* liquor from Maruti Van bearing registration No. BEA-7191. However, driver and two other persons had fled away from the vehicle.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as per the Police, the petitioner who was also present in the vehicle fled away from the place of occurrence but there is no truth in such allegation as the petitioner is neither driver nor owner of the vehicle and he is no way connected with the alleged offence. He also submits that there is no cogent material against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-V, Gaya, in



connection with Sherghati P.S. Case No. 151 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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