

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6646 of 2025**

Arising Out of PS. Case No.-46 Year-2024 Thana- Chakki District- Buxar

Birbal Chaudhary @ Birbal Chaudhari Son of Late Baban Chaudhari Resident  
of Village - Arak Bintoli, P.S. - Krishnabraham, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**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 Chakki  
PS Case No. 46 of 2024 instituted for the offences under Section  
30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 90 litres  
of foreign liquor was recovered from jute bag and plastic bora  
near the Buxar Bandh.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. It is submitted  
that recovery is made from an open place, which is accessible to



one and all. The petitioner is in custody since 13.12.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chakki PS Case No. 46 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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