

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10443 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- EXCISE SHERGHATI District- Gaya

Bablu Chaudhary S/O Ramji Chaudhary Resident of Village- Lipganj Chatti,
P.S.- Sherghati, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Sherghati) P.S. Case No. 243 of 2024 instituted for the
offences under Sections 30(a) and 32(c) of the Bihar Prohibition
and Excise Act, 2018.

3. As per prosecution case, the police has recovered
total 39.580 liters of illicit foreign liquor from the house of the
petitioner.

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.
The name of the petitioner has surfaced in this case on the basis



of the disclosures made by his brother Nandu Choudhary. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. 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 three criminal antecedents of similar nature of offence and is languishing in judicial custody since 24.12.2024 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, submitting that the petitioners has three criminal antecedents of similar nature of offences.

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 Excise (Sherghati) P.S. Case No. 243 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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