

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14421 of 2025

Arising Out of PS. Case No.-92 Year-2019 Thana- VAISHALI District- Vaishali

Jai Kumar Chaudhary @ Jay Kumar Chaudhary S/O Late Babu Lal Chaudhary Resident of Village- Muza Patrahia, P.S.- Saraiya, (Jaitpur o.p.) District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has earlier moved before this Hon'ble Court with a prayer for anticipatory bail which was rejected vide order dated 04.12.2020 passed in Cr. Misc. No. 28221 of 2020.

3. The petitioner seeks bail in connection with Vaishali P.S. Case No. 92 of 2019 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

4. As per prosecution case, the police has recovered 2270.52 liters of illicit foreign liquor from the pick-up vehicle bearing Regd. No. BR06GC-0696.

5. 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 petitioner is alleged to be the owner of the alleged pick-up vehicle but, as a matter of fact, the petitioner has already sold the same to one Vibash Kumar in March, 2018 and, thus has no concern with the alleged vehicle. 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 no criminal antecedent and is languishing in judicial custody since 23.01.2025 without any rhymes or reason.

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

7. 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 and the petitioner having no criminal antecedent, 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 Vaishali P.S. Case No. 92 of 2019.

(Rudra Prakash Mishra, J)

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