

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14585 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- Jhandapur District- Bhagalpur

Chandan Kumar Choudhary @ Chandan Choudhary S/O Harishchandra
Choudhary R/O Vill.- Auliyabad, P.S-Jahandapur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jhandapur P.S. Case No. 44 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
total 4.500 liters of illicit foreign liquor from the bamboo
orchard.

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
on the basis of the secret information. He further submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner. The petitioner was not apprehended



on the spot and his name has transpired in this case on the basis of his criminal antecedent. 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 four criminal antecedent and is languishing in judicial custody since 03.02.2025 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, *after framing of charge if not already framed*, 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 Jhandapur P.S. Case No. 44 of 2024.

(Rudra Prakash Mishra, J)

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