

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17340 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- JANTA BAZAR District- Saran

Upendra Kumar Chaudhary, aged about 22 years (Male), Son of Asharfi Chaudhary, Resident of Village- Shobhipur Dhamsar, PS- Janta Bazar, Distt.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Srinath Manjhi, Advocate
For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Janta Bazar P.S. Case No. 32 of 2025 dated 06.02.2025 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 10 litres of country made liquor is said to have been recovered from the motorcycle of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that no incriminating article has been recovered from his possession. The petitioner is the



owner of the seized motorcycle in question. He has no concern with the alleged offence. There is no compliance of Section 103 of the B.N.S.S., 2023. The petitioner is a daily wager and sole earning member of his family. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 07.02.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Janta Bazar P.S. Case No. 32 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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