

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18919 of 2025

Arising Out of PS. Case No.-492 Year-2024 Thana- CHANDAUTI District- Gaya

Sanjay Choudhary @ Karu Chaudhary S/O Krishna Choudhary @ Krishana Chaudhry R/O Village- Durbe, P.S- Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Chandauti PS Case No. 492 of 2024 dated 26-12-2024, instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation is of recovery of 20 litres of illicit *Mahua* liquor from the street behind the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case merely on the basis of suspicion. It is submitted that no recovery of any contraband has been made from the conscious possession or house of the petitioner. It is further submitted that the petitioner has been implicated in this case merely on the basis of confidential information received by the



police, and no direct evidence is available to connect the petitioner with the alleged recovery. The petitioner has no concern whatsoever either with the seized liquor or with the place of alleged recovery. It is next submitted that no such incident, as alleged in the prosecution version, ever took place, and the entire case is concocted and false to harass the petitioner. Lastly, it is submitted that two other criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.4, Gaya, in Chandauti PS Case No. 492 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court



below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

