

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21757 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- JOGAPATTI District- West Champaran

Manoj Chaudhary Son of Arjun Choadhri @ Arjun Chaudhary Resident of
Village- Piparahia, P.S.- Nawalpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash, Advocate.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Gyan Prakash, learned counsel appearing
on behalf of the petitioner and Mr. Aditya Narayan Singh-1,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jogapatti P.S. Case No. 399 of 2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per the allegation made in the F.I.R., 15 litres of
country made liquor was recovered from a motorcycle bearing
Registration No. BR22AY6512.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has been
falsely implicated in the case. He has no concern with the seized
liquor which was recovered from the possession of co-accused



Toofani Yadav who was apprehended on the spot along with the said motorcycle and the said motorcycle belongs to said Tufani Yadav. Name of the petitioner has surfaced in the case on the basis of the confessional statement of the apprehended co-accused Toofani Yadav. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the nature of allegation made against the petitioner and the fact that the motorcycle from which liquor was recovered does not belong to the petitioner rather belongs to co-accused Tufani Yadav who was apprehended on the spot and disclosed the name of the petitioner as his accomplice, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned Exclusive Special Court, Excise-II, Bettiah, West Champaran in connection with Jogapatti P.S. Case No. 399 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para- 3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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