

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23928 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- SITAMARHI District- Sitamarhi

Karan Kumar @ Karan Chaudhary S/o Ram Sogarath Chaudhary @ Sogarath Chaudhary R/o village - Rajopatti, ward no. -30, P.S. - Mehsaul, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-05-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Sitamarhi P.S. Case No. 22 of 2025 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 10.800 liters of country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the alleged recovery of illicit liquor was made from the front of the house of the



petitioner which is an open place and accessible by general public. It is submitted that in view of same it can be safely gathered that the recovery of illicit liquor was not made from the physical possession of this petitioner. It is pointed out that petitioner found involved in two more criminal cases where one is of similar nature, where petitioner is on bail in both cases.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* appears from an open place and not made from the conscious physical possession of this petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no. 2, Sitamarhi/concerned Court, where the case is pending in



connection with Sitamarhi P.S. Case No. 22 of 2025,
subject to the conditions as laid down under Section
482(2) of BNSS., subject to further condition:-

*(i) That petitioner shall not involve
in the similar nature of offence till the
conclusion of trial, failing which the State shall
be at liberty to move before the Trial Court
itself for the cancellation of bail bond of the
petitioner.*

(Chandra Shekhar Jha, J)

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