

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25993 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- RAJAOLI District- Nawada

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Raju Kumar Chaudhary @ Raju Chaudhary S/o Hira Chaudhary R/o Village-
Takuatand, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard Mr. Sheo Kumar Prasad, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending arrest in connection
with Rajauli P.S. Case No. 18 of 2025 instituted under Sections
30(a) and 30(d) of the Bihar Prohibition and Excise Act
lodged on 09.01.2025 by the informant, Rajesh Kumar.

3. As per the prosecution story, the informant alleged
that this petitioner alongwith his brother-in-law, Pawan Kumar
are selling illicit liquor from the house. It was raided and there
is recovery/seizure of 300 liters of illicit liquor from the
cowshed and 10 liters from the washroom. This led to the FIR.

4. Learned counsel for the petitioner submits that only
because he has criminal antecedent, implicated. The actual



recovery/seizure is from the cowshed which cannot be attributed to him. The Police only to implicate has inserted this 10 liters recovery from the washroom. Further, irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.15,000/- to the District Legal Services Authority, Nawada for the beautification of Nawada judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the recovery/seizure from a cowshed and not from his conscious possession, FIR lodged, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment Rs.15,000/- to the District Legal Services Authority, Nawada for the beautification of Nawada judgeship through Demand Draft issued by the local branch of the State Bank of India.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Rajauli P.S. Case No.



18 of 2025 to the satisfaction of learned Exclusive Special Court, Excise Court-2, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

8. Let a copy of this order be communicated to the learned Principal District and Sessions Judge, Nawada for his perusal and needful.

(Rajiv Roy, J)

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