

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28364 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- BRAHMPUR District- Buxar

Chandan Noniya S/O Jairam Noniya @ Jay Ram Monia R/O Vill.- Lalanji Ka
Dera, P.S.- Brahmpur, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Brahmpur P.S. Case No. 24 of 2025 instituted for the offences
punishable under Sections 30(a), 41 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 182.88
litres of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on the spot, rather his name was
disclosed by the apprehended co-accused person. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the vehicles in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 06.03.2025 and has seven criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 07-04-2025, passed in Cr. Misc. No. 21595 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Brahmpur P.S. Case No. 24 of 2025, subject to the following condition/s:-

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

