

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25949 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- RAFIGANJ District- Aurangabad

Ram Ishwar Chaudhary @ Rami Ishwar Chaudhary S/o Late Monarik Chaudhary @ Rami Ishwar Chaudhary R/o Village- Sihuli P.S.- Rafiganj, District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Singh, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Rafiganj P.S. Case No.47 of 2025, dated 27.01.2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 14 litre of country made liquor has been recovered from a place adjoining the house of the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from



the possession of the petitioner or from his house. In fact, the recovery has been made from an open space accessible to the public at large.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Rafiganj P.S. Case No.47 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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