

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27042 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- Chakki District- Buxar

HARENDRA NONIYA S/o Jairam Noniya @ Jairam Monia R/o Village-
Lalanji Ka Dera, P.S.- Brahmpur, District- 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 : Mr. Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Chakki
PS Case No. 15 of 2024 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 103.68 liters
liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that motorcycle in question was purchased by petitioner from



one Bijay Mishra. The petitioner is in custody since 11-03-2025 and has got six criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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 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, ***after framing of charge, if not already framed***, 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 Chakki PS Case No. 15 of 2024, subject to the following conditions:

(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/-

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