

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28253 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- JAGDISHPUR District- Bhagalpur

Mukesh Chaudhary, Male, aged about 30 years, Son of Arjun Chaudhary, R/o Harijan tola Puraini, PS- Jagdishpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan, Advocate

Mr. Ritik Shah, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-05-2025 Heard Mr. Madan Mohan along with Mr. Ritik Shah, learned counsels appearing on behalf of the petitioner and Mr. Sanjay Kumar Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Jagdishpur P.S. Case No. 35 of 2025 registered for the offence(s) punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 45 litres of fermented toddy was recovered from the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner has no concern with seized toddy. There has been complete violation of the



manner in which the seizure has been affected and petitioner, who was not in the house at the time of the alleged seizure, has been made accused in the present case and is faced with the rigors of criminal prosecution. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner and also the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-I, Bhagalpur / Concerned Court in connection with Jagdishpur P.S. Case No. 35 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been



stated in paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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