

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28138 of 2025

Arising Out of PS. Case No.-403 Year-2021 Thana- NAWADA District- Nawada

Anil Chaudhary, aged about 45 years (Male), Son of Late Ram Prasad Chaudhary, Resident Of Village- Gondapur, P.S. -Nawada, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Nawada P.S. Case No. 403 of 2021 dated 06.04.2021 registered for the offence punishable under Sections 30(a)(b)(c)(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, on 06.04.2021, the police, on the basis of confessional statement of the accused Arvind Yadav, in Town P.S. Case No. 602 of 2020, raided his house and recovered 400 ML country made liquor alongwith gents and lady's garments etc., one Magic vehicle bearing Registration No. BR27P-1417 and a tractor bearing Registration No. BR27E-4823 from outside of his house. It is further alleged



that behind the Mill of Shushum Ji near the wheat field, county made liquor packing machine, bag, packing punch, about 4 kg., plastic wrapper, 5 litres spirit, two 50-50 litres empty plastic containers were also recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the Arvind Yadav and Manti Devi. The petitioner has been remanded in the present case from Nawada P.S. Case No. 680 of 2021. It is further submitted that the alleged seized articles recovered by the police does not belong to the petitioner. The petitioner has no concern with the alleged offence. It is submitted that the other co-accused person, namely, Ranjeet Kumar @ Ranjeet Prasad, has already been granted bail by a Bench of this Court in Cr. Misc. No. 40974 of 2024 vide order dated 28.06.2024. The petitioner has thirteen (13) criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 12.08.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-Ist, Nawada in connection with Nawada P.S. Case No. 403 of 2021 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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