

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30064 of 2025**

Arising Out of PS. Case No.-205 Year-2024 Thana- NAVINAGAR District- Aurangabad

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Lalbabu Chauhan S/o Dashrath Chauhan R/O Mahuwari, P.s.- Nabinagar,
Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nabinagar P.S. Case No. 205 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 175 liters liquor was recovered from two motorcycles.

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. Learned counsel for the petitioner also submits that the petitioner is neither owner nor driver of the alleged motorcycles in question. The



petitioner was neither present nor arrested at the place of occurrence. Name of the petitioner has transpired in this case on the basis of information given by the villagers. The petitioner is in custody since 11.04.2025 and has got two criminal antecedents in which he is on bail in one case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 25433 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nabinagar P.S. Case No. 205 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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