

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33421 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- RAGHUNATHPUR District- Siwan

Brajesh Chouhan S/o Ramavtar Chauhan Resident of vill- Gavirar, PS-
Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Kumari Anupam
For the Opposite Party/s	:	Mr Sanjay Kr. Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in connection with Raghunathpur P.S. Case No. 59 of 2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, on the alleged date of occurrence, on the basis of secret information regarding trade of illegal liquor, police party proceeded towards place of occurrence and apprehended the petitioner and four other accused persons managed to escape and on search, 169.20 litres of IMFL was recovered.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of recovery i.e. Baba Chabutra, which is a open and public land. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Moreover, he is languishing in judicial custody since 07.03.2025.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. II, Siwan in connection with Raghunathpur P.S. Case No. 59 of 2025 with following conditions:

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall



be present on each and every fixed date and on his absence
on two consecutive dates without sufficient reason, his bail
bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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