

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33068 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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Ramjee Chaudhary S/O Late Sohan Chaudhary Resident of Village Kama
Bigha, Yamuna Nagar, P.S.- Town, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Singh
For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner makes a prayer for bail in connection
with Town P.S Case No.131 of 2025 registered for offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The First Information Report and the seizure list
would indicate that there is a total recovery of 09 litres of
foreign liquor from the roof of the joint house of the petitioner.

4. Learned counsel for the petitioner submits that the
recovery has been made from the joint family property and no
liability can be fixed on the petitioner. Further, the petitioner



was not caught on the spot and there is no recovery from the physical and conscious possession of the petitioner. There is no independent witness to the seizure list and hence, the mandatory provisions of search and seizure have not been complied with. The petitioner is in custody since 22.04.2025.

5. Learned APP for the State opposes the prayer for bail application on the ground that there are two criminal antecedent of the same nature, in response to which learned counsel for the petitioner submits that he is on bail in all the said cases.

6. Considering the facts and circumstances, the petitioner is enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned District and Additional Sessions Judge cum Exclusive Special Judge, Excise Court No.1, Aurangabad, in connection with Town P.S Case No.131 of 2025, subject to the following conditions:

(i) the petitioner shall co-operate in the investigation/trial.

(ii) one of the bailors shall be the family member/close relative of the petitioner.

(ii) the learned Court would, however, verify the



criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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