

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32559 of 2025**

Arising Out of PS. Case No.-80 Year-2025 Thana- MUZFFARPUR GRP CASE District-
Muzaffarpur

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Rajesh Kumar Chaudhary S/o Baidhnath Chaudhary R/o Mohalla- Mali ghat,
Ward No. 46, P.S.- Mithanpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Pushpa Sinha

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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 Rail P.S Case No.80 of 2025 registered for offences under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The present case has been lodged by the Railway
Police Force, showing a total recovery of 87.14 litres of foreign
liquor from a bag which was being carried by the petitioner
where, he was intercepted on a platform.

4. Learned counsel for the petitioner submits that the
petitioner got into a heated exchange with the informant and it is



due to such reason that the petitioner has been implicated in the present case. A recovery of foreign liquor and a mobile phone has been shown from the possession of the petitioner and while the mobile phone belongs to the petitioner, the said liquor does not belong to the petitioner. Further, the Police has not followed the mandatory provisions of search and seizure and there is no independent witness to the seizure list. The petitioner is in custody since 05.04.2025.

5. Learned APP for the State opposes the prayer for bail application on the ground that the petitioner is an accused in two other cases of similar nature, in response to which the learned counsel for the petitioner submits that the petitioner is on bail in both the cases.

6. In view of the fact 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 Exclusive Special Excise Court-III, Muzaffarpur, in connection with Rail P.S Case No.80 of 2025, subject to the following conditions:

- (i) the petitioner shall co-operate in the investigation/trial.
- (ii) one of the bailors shall be a family member/close



relative of the petitioner.

(iii) the learned Court would, however, verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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