

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33566 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- BARUN District- Aurangabad

1. Nanhak Chaudhary @ Rajindra Chaudhary @ Rajendra Chaudhary son of Mahendra Chaudhary Village- Keshav Market, Bhuiyan Toli, Ps- Barun, Dist- Aurangabad
2. Birbal chaudhary son of Kameshwar Chaudhary Village- Keshav Market, Bhuiyan Toli, Ps- Barun, Dist- Aurangabad
3. Bhagwan Bhuiyan Son of Late Balgovind Bharti Village- Keshav Market, Bhuiyan Toli, Ps- Barun, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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 petitioners have preferred this application for grant of regular bail in connection with Barun P.S. Case No. 87 of 2025 registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Amendment Act 2022.

3. Recovery of total 105 litres of country made liquor has been made from the Sone Diyara and total 7,000 litre of semi prepared Mahua pass was destroyed at the place of occurrence by the police.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Petitioners have got no criminal antecedent. They have no concern with the alleged recovery or with the place of occurrence. The name of the petitioners have figured in this case on the confessional statement of co-accused Bhola Chaudhary made before the police, which has got no evidentiary value in the eye of law. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their conscious possession. Petitioner No. 1 is in custody since 27.03.2025 and Petitioner Nos. 2 and 3 are in custody since 24.03.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioners, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge of Excise-I, Aurangabad in connection with Barun P.S. Case No. 87 of 2025 subject to the following conditions :-

(i). Petitioners will remain physically present in trial on each and every date till the disposal of the case failing which,



on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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