

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33607 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- AMBA District- Aurangabad

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Amba P.S. Case No. 47 of 2025 registered for the offences
under Section 30(a) of Bihar Prohibition & Excise
(Amendment) Act, 2022.

3. As per the prosecution case, the police party
conducted a raid on secret informant and two motorcycles were
intercepted and two persons were apprehended who disclosed
their names as Chitranjan Kumar Sharma and Vikash Kumar
and on the other motorcycle, two accused persons were
apprehended who disclosed their names as Rahul Chaudhary &
Ramjee Chaudhary (petitioner). On search, total 31.62 litres of
country made liquor was recovered from the joint possession of



Rahul Chaudhary and Ramjee Chaudhary.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because he has two criminal cases of similar nature against his name. He has further submitted that even taking the allegation on its face value, a total of 31.62 litres of liquor is said to have been recovered from the joint possession of the petitioner with one co-accused, Rahul Chaudhary. It has also been submitted that the motorcycle which was seized does not belong to the petitioner and the provisions of Section 103 of the B.N.S.S. has not been followed. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- before the Patna High Court Legal Services Committee.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner carries criminal antecedent of the similar nature.

6. Considering the aforesaid submissions and taking into account that the recovery made, let the petitioner above-named be enlarged on bail **on deposition of a sum of Rs. 5,000/- to the Patna High Court Legal Services Committee, Patna and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing of bail bond**



and thereafter on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of District and Additional Sessions Judge cum Exclusive Special Judge, Excise Court No. 1, Aurangabad in connection with Amba P.S. Case No. 47 of 2025 subject to the conditions :-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, the acceptance of bail bonds in terms of the afore-mentioned order shall not



be delayed for purpose of or in the name of
verification.

(Sourendra Pandey, J)

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