

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34783 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- BASOPATTI District- Madhubani

Dhiraj Kumar Chaupal S/o Bimal Mandal R/o Vill - Kauaha, P.S - Basopatti,
District – Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 26-06-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 274, 275, 3(5) of B.N.S. and Section 30(a) of Bihar Excise Prohibition Act. Petitioner has clean antecedent.

3. As per the prosecution case, the patrolling party saw two persons carrying bags, coming on motorcycle from Nepal. They were stopped who tried to escape, however, the police apprehended them who disclosed their name as Dhiraj Kumar Chaupal (petitioner) and rest managed to escape. On search, total 351 liters of Nepali country-made liquor was recovered from the two motorcycles.



4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such recovery as alleged has been made from his conscious possession. It has further been submitted that the petitioner was a bystander and the persons who were actually involved had fled away and the police has falsely implicated this petitioner. The learned counsel next submits that the two motorcycles which were seized and being used to carry the said liquor does not belong to the petitioner. It has lastly been submitted that petitioner has clean antecedent and he is in custody since 08.04.2025. The learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. The learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an



acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bonds and thereafter bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Basopatti P.S. Case No. 77 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(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) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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



above-mentioned order shall not be delayed for purpose of or in
the name of verification.

(Sourendra Pandey, J)

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