

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34860 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- GOVINDPUR District- Nawada

Mahesh Chaudhary S/o Late Lachho Chaudhary R/o Vill - Pipara, P.S -
Govindpur, Dist - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence under Sections 30(a) and 41 of the Bihar Prohibition
and Excise Act.

3. Bare perusal of the first information report and
seizure list would go to show that a total of 102 liters of country
made liquor has been recovered from a motorcycle which was
found near a pond.

4. Learned counsel for the petitioner submits that the
petitioner is not the owner of the motorcycle and was not even
riding the same and this is precisely the reason why he was not
arrested on the spot. The name of the petitioner has surfaced in
this case only on account of the fact that there was a secret



information with the police that the petitioner was involved in the said offence. There is no recovery from the personal or conscious possession of the petitioner and further, the mandatory provisions of search and seizure have also been violated as there is no independent witness to the seizure list. The petitioner is in custody since 28.03.2025.

5. Learned APP for the State however opposes the prayer for bail of the petitioner besides others on the ground that the petitioner is accused in three other cases out of which two are of similar nature. It is submitted in response that the petitioner is on bail in all the cases.

6. Considering the facts and circumstances of the case, let the, above named, petitioner be released 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 Judge-1st, Nawada in connection with Govindpur P.S. Case No. 300 of 2024, subject to the condition that one of the bailors will be a family member or a close relative.

(Soni Shrivastava, J)

ajay/-

U		T	
---	--	---	--

