

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46135 of 2025

Arising Out of PS. Case No.-345 Year-2025 Thana- Excise P.S. District- Lakhisarai

Chintu Chaudhary S/O Late Sodhan Chaudhary @ Late Sohan Chaudhari
Resident of Village- Halsi, Ward No. 8, P.S.- Haldi, District- Lakhisarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 17-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 345 C² of 2025 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 03.150 liters of illicit liquor from the jute bag. The
petitioner was alleged to be arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner. The alleged recovery of the alleged
liquor has been made from the open place which is accessible to



one and all. The petitioner has never indulged either in manufacturing or trading the illicit liquor. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and is languishing in judicial custody since 04.06.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 345 C² of 2025.

(Rudra Prakash Mishra, J)

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