

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49578 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- KASMA District- Aurangabad

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Anil Chaudhary @ Anil Chodhary Son of Late Krishna Chaudhari R/O
Village- Nawadih Ward No. 20, P.S.- Town, Distt.- Auragabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with Kasma
PS Case No. 83 of 2025 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 17.250
litres of foreign liquor was recovered from Motorcycle bearing
Regd No. BR01AW-1940.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that motorcycle in question does not belong to the petitioner.
The petitioner is in custody since 22.06.2025 and has got seven



criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge if not already framed* 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 Kasma PS Case No. 83 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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