

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49896 of 2025

Arising Out of PS. Case No.-375 Year-2021 Thana- NAWADA District- Nawada

Anil Chaudhary Son of Late Ram Prasad Chaudhary Resident of Village -
Gondapur, P.S.- Nawada, District – Nawada. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Nawada
(Town) P.S. Case No. 375/2021, registered for the offence under
Sections 33, 34, 36 of the Excise Act.

3. The accused/petitioner is not named in the F.I.R. and
is in custody since 08.08.2024.

4. The allegation against petitioner is to involve in illegal
activities of illicit liquor/spurious liquor alongwith other co-accused
persons, where after consumption brother of the informant died.

5. Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced in present case
during the course of investigation on the basis of confessional
statement of co-accused Arbind Yadav and Manti Devi, where in
furtherance of which no incriminating material recovered/surfaced



during the course of investigation as to connect petitioner *prima facie* with illegal trade of illicit/spurious liquor. It is submitted that out of occurrence, petitioner was implicated in 13 cases of similar nature in succession out of police atrocities, where except suspicion nothing survives against petitioner for the reasons as he involved in almost all cases, the name of petitioner transpired on the basis of confessional statement of co-accused, as of the present case. While concluding the argument, it is submitted that investigation of this case has already been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions as save and except suspicion arising out of confessional statement of co-accused no incriminating material recovered/surfaced during investigation as to connect petitioner with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 08.08.2024, accordingly, petitioner above named is directed to be released on bail in connection with Nawada (Town) P.S. Case No. 375 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Judge-1st,
Nawada/concerned court, subject to the conditions as mentioned
under Section 437 (3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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