

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52389 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Dinesh Chaudhary @ Libu Chaudhary @ Libu S/O Late Mathura Chaudhary
R/O Village- Panchi, P.S.- Sheikhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

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

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sheikhopur Sarai P.S. Case No. 52 of 2025 instituted for the
offences under Sections 274/275 of the Bhartiya Nyaya Sanhita
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 20 liters of illicit country-made liquor from in front of the
house of the petitioner.

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
due to ulterior motive. He further submits that nothing



incriminating has been recovered from the conscious possession of the petitioner rather the alleged liquor has been recovered from in front of the house of the petitioner which is an open place, accessible to one and all. 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 three criminal antecedent and is languishing in judicial custody since 17.05.2025 without any rhymes 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheikhopur Sarai P.S. Case No. 52 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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