

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52295 of 2025**

Arising Out of PS. Case No.-455 Year-2021 Thana- ATRI District- Gaya

Chhotelal Chaudhary S/O Sri Bale Chaudhary @ Baleshwar Chaudhary R/O  
Village- Mahmadpur, P.S.- Atri, Dist.- Gaya Jee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Pronoti Singh, APP

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

2      06-08-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Atri  
P.S. Case No. 455 of 2021 instituted for the offences under  
Section 272 & 273 of the Indian Penal Code and Section  
30(a)(d) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered  
five liters of illicit country-made liquor, aluminum utensils etc.  
from the bank of river. It is further alleged that 1200 liters of  
semi-prepared liquor was destroyed at the spot itself.

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 highhandedness of the police. Learned



counsel for the petitioner further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the recovery has been made from an open place which is 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 two criminal antecedents and is languishing in judicial custody since 11.05.2025 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, stating that the petitioner bears two criminal antecedents of similar nature of offences.

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 Atri P.S.



Case No. 455 of 2021.

**(Rudra Prakash Mishra, J)**

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