

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62361 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- CHANPATIA District- West Champaran

Manoj Chaudhary S/O Chandrika Chaudhary R/O Chuhadi, Ward No. 12, P.S-
Chanpatiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Chanpatiya P.S. Case No. 54 of 2025 registered for the offences under Sections 274 and 275 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioner selling country made liquor from his shop. A raid was conducted at the identified place, the petitioner fled away from the spot on seeing the police party. From search of the shop, recovery of 415.800 litres of country made liquor Nepali liquor was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner was not apprehended from the spot and the shop from which recovery has been made, does not belong to this petitioner. Under the circumstances, no offence under Section 30(a) of the Excise Act is made out against the petitioner. Petitioner was never indulged in trade of illicit liquor. Petitioner is having antecedent of 4 cases and he is on bail in all these cases. Petitioner is in custody since 03.07.2025 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-I, Bettiah, West Champaran/concerned court in connection with Chanpatiya P.S. Case No. 54 of 2025, subject to the conditions mentioned in



Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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