

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61161 of 2025

Arising Out of PS. Case No.-654 Year-2025 Thana- SONEPUR District- Saran

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Rajendra Chaudhary @ Rajendra Chaudhari Son of Late Chandradip Chaudhary @ Chipu Chaudhary Resident of Village -Barbatta, P.S. - Sonapur, Dist. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Mili Kumari, Advocate
	:	Ms. Ashi Vats, Advocate
For the State	:	Mr. Jitendra Kumar Singh.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard Ms. Ashi Vats, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Sonapur P.S. Case No. 654 of 2025 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 05.07.2025 by the informant, Sunil Kumar Singh.

3. As per the prosecution story, the informant alleged that Police on information, recovered/seized 41.25 liters country made liquor near the boundary wall of the school. The chowkidar gave the names including this petitioner. This led to the F.I.R.



4. Learned counsel for the petitioner submits that a perusal of the F.I.R. would show that it has been recovered from an open place, not from conscious possession and only because of criminal antecedent, got implicated and if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also the fact that nothing has been recovered from his conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Sonapur P.S. Case No. 654 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

8. Before parting this Court would like to put on record its word of appreciation for Ms. Ashi Vats, learned counsel for the petitioner for her proper assistance rendered in the matter.

(Rajiv Roy, J)

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