

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72096 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- KHIJARSARAI District- Gaya

Dipu Kumar S/O Dinanath Chaudhary R/O Village-Vithosharif P.S.- Chakand
District- Gaya State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Khizersarai P.S. Case No. 246 of 2025 for the offences registered
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 65
litres country made liquor from the Splendor Motorcycle of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case
only on the basis of suspicion. No incriminating material has been
recovered from the conscious possession of the petitioner.
Petitioner has no concern with the seized liquor or the motorcycle.
Petitioner is not involved in the business of illicit liquor. There is



no compliance of Sections 103 and 105 of the B.N.S.S. Petitioner has no criminal antecedent. He is in judicial custody since 05.07.2025. Charge-sheet has already been submitted after completion of investigation. There is no likelihood of absconding the petitioner or tampering with the evidence by the petitioner. Petitioner undertakes to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-2, Gaya in connection with Khizersarai P.S. Case No. 246 of 2025, subject to following conditions:

- (I) the petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court itself;
- (II) 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;

7. The learned Trial Court shall verify the criminal



antecedent of the petitioner. If, any criminal antecedent is found
against the petitioner, his bail bond shall be cancelled.

(Sunil Dutta Mishra, J)

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