

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63940 of 2025

Arising Out of PS. Case No.-206 Year-2025 Thana- PARSA District- Saran

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Jitan Chaudhary @ Jitendra Kumar Chaudhary S/o Late Umesh Chaudhary
Resident of Village- Parsauna Maharani8 Bazar, P.O.- Parsa, P.S.- Parsa,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Suruchi Anand, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard Ms. Suruchi Anand, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Parsa P.S. Case No. 206 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 lodged on 03.07.2025 by the informant, Binod Kumar Sharma.

3. As per the prosecution story, the Police on secret information, raided the house of the petitioner and from the garbage behind the house, there is recovery/seizure of 4.500 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that perusal of the FIR would show that the recovery/seizure is outside of the house, the petitioner has no criminal antecedent.



5. Learned APP opposes the prayer submitting that it has been found near the garbage of the house of the petitioner.

6. Taking into account the aforesaid facts as also the recovery/seizure which is from the outside of the house and not from his conscious possession, the petitioner no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Parsa P.S. Case No. 206 of 2025 to the satisfaction of learned 3rd Special Judge Excise, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

(Rajiv Roy, J)

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