

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64102 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- Raghunathpur District- East Champaran

Prakash Kumar @ Prakash Chasudhary S/o Late Shankar Chaudhary @ Late Sankar Chaudhari R/o Village- Sabaji Mandi Baluwa, P.S.- Town Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Raghunathpur P.S. Case No. 55 of 2025 registered for the alleged offences under Sections 30(a), 41(1) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about transportation of illicit liquor by this petitioner. When the police party reached the place, a person fled away leaving behind his motorcycle with two plastic bags and on search of these bags, recovery of 200 litres of country made liquor was made.

4. Learned counsel for 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 the petitioner, who was not apprehended from the spot. Recovery has been shown from a motorcycle but the petitioner is neither the owner nor the driver of the said motorcycle. There is no material to show the complicity of the petitioner in the present case. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner in custody since 15.07.2025 and charge sheet has been submitted.

5. Learned APP 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 that the petitioner was not apprehended from the spot and no recovery has been shown from the conscious possession of the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Motihari, East Champaran/concerned Court



in connection with Raghunathpur P.S. Case No. 55 of 2025,
subject to the conditions mentioned in Section 480(3) of
B.N.S.S. and also the 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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