

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68532 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- BARH District- Patna

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Bishun Chaudhary @ Bishnu Chaudhary Son of Chandi Chaudhary @ Late
Lakhan Chaudhary Resident of Village - Agwanpur(Puraibag), Police Station
- Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 191 of 2025, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 90 liters
liquor was recovered in this case, out of which 60 liter liquor
has been recovered from the cattle shed of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel



for the petitioner also submits that the alleged recovery has been made from the cow shed which has been made by joint family of the petitioner and the same is an open place which is easily accessible to the public at large. The petitioner is in custody since 31.07.2025 and has got six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 191 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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