

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66669 of 2025

Arising Out of PS. Case No.-301 Year-2025 Thana- MADANPUR District- Aurangabad

Raushan Kumar S/O Late Sanjay Chaudhari @ Sanjay Chaudhary R/O
Village- Dadhpi, P.S- Madanpur, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Madanpur P.S. Case No. 301 of 2025 dated 21.07.2025,
instituted for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The allegation is of recovery of 50 litres country
made liquor from the motorcycle bearing Registration No.
BR02AR9121 and 15 litres country made liquor from the
motorcycle bearing Registration No. BR26AA9283.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that petitioner is neither owner nor
driver of said motorcycles at the alleged time of occurrence.



Petitioner has no concern with the seized motorcycle. Only on the basis of disclosure made by co-accused Om Prakash Kumar, the petitioner has been made accused in this case. Lastly, it has been submitted that petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Madanpur P.S. Case No. 301 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge- cum- Exclusive Special Judge, Excise Court No. 1, Aurangabad (Bihar), subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

