

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66591 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- MANJHI District- Saran

1. Shobha Devi, Wife of Channu Choudhary, aged about 38 years, Female, R/o Village - Manjhi Chouba Sthan, Police Station - Manjhi, District- Saran.
2. Gudiya Devi, Wife of Cheman Choudhary @ Ganesh Chaudhary, aged about 30 years, Female, R/o Village - Manjhi Chouba Sthan, Police Station - Manjhi, District- Saran.
3. Hareram Choudhary, Son of Sriram Choudhary, aged about 25 years, Male, R/o Village - Manjhi Chouba Sthan, Police Station - Manjhi, District- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Bishwajeet Singh, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Manjhi P.S. Case No. 158 of 2025 dated 10.05.2025 registered for the offences punishable under Sections 115 (2), 126 (2), 109, 132, 121 (1)(2) read with Section 3(5) of the B.N.S., 2023 and Sections 30(a) and 45 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 100 litres of illicit raw liquor (pas) was destroyed and 170 litres of country made



liquor was recovered from the house of the apprehended co-accused persons, Cheman Chaudhary @ Ganesh Chaudhary and Chanu Chaudhary from which 90 litres was spilled on the road by the public.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case on suspicion. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The allegation against the petitioners is that they alongwith other co-accused persons attacked the police team and got free the apprehended co-accused person, namely, Cheman Chaudhary @ Ganesh Chaudhary and further spilled and destroyed 90 litres of seized illegal liquor. The names of the petitioners have come in the present case on the basis of the disclosure made by the Mahal Chaukidar. There is no statutory compliance of Sections 103(4) and 105 of the B.N.S.S., 2023. It is further submitted that the other co-accused persons, namely, Cheman Choudhary @ Ganesh Chaudhary and Chanu Chaudhary @ Umesh Chaudhary @ Channu Chaudhary have already been granted bail by a Bench of this Court in Cr. Misc. No. 44042 of 2025 vide order dated 14.07.2025, annexed as Annexure-P/4 to the present bail



petition. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above- named, are directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra or his successor in connection with Manjhi P.S. Case No. 158 of 2025.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

