

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66631 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- KALYANPUR District- East Champaran

Jagdeo Chaudhary @ Jagdev Chaudhary S/o- Late Gauri Chaudhary @ Gauri
Mahto R/o- Jagdishpur Ps- Kalyanpur District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr.Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Kalyanpur P.S. Case No. 138 of 2025, registered for the offences under Section 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, police received information about petitioner keeping huge quantity of liquor in his straw house. A raid was conducted and 250 litre of country made *chulai* liquor was made from the said straw house. The petitioner is said to have fled away on seeing the police party.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits



that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from conscious possession of the petitioner. The house of the petitioner is situated near the straw house from where the recovery has been made but the petitioner has no concern with the said straw house. The petitioner has been made accused in this case in a mechanical manner. The petitioner is having antecedent on one case in which he is on bail. The petitioner is in custody since 08.07.2025.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that the petitioner had not been apprehended from the alleged spot and also considering the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing the bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court no. 3, Civil Court, East Champaran, Motihari/concerned court, in connection with Kalyanpur P.S. Case No. 138 of 2025, subject to the condition laid down under Section 480(3) of the B.N.S.S.



and other 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, if so required by the learned trial court.
- (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)

Anuradha/-

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

