

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66436 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- CHAKAND District- Gaya

Deepak Kumar S/o- Nanhak Chaudhary @ Nanhak Chaudhari r/o- Pirbigha
Po- Rasalpur Ps- Chakand Rasalpur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rabia Gulnaz, Adv.

For the Opposite Party/s : Mr.Murli Dhar, 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 Chakand P.S. Case No. 228 of 2025, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioner coming on a motorcycle tried to flee away on seeing the police party but he was chased and apprehended. From the plastic sacks kept on the motorcycle and the dickey of the motorcycle 106 litre country made *mahua* liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He was not apprehended from the



spot and nothing incriminating has been recovered from his conscious possession. The petitioner has no concern with the seized motorcycle and he is not the owner of the seized motorcycle and he was not even driving the said motorcycle. There is non-compliance of Section 103 of the BNSS. The petitioner is in custody since 03.08.2025 and he has no criminal antecedent.

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 clean antecedent and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing 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-4, Gaya/concerned court, in connection with Chakand P.S. Case No. 228 of 2025, subject to the condition laid down under Section 480(3) of the BNSS 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)

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