

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69522 of 2025**

Arising Out of PS. Case No.-163 Year-2025 Thana- Excise P.S. District- Saran

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Krishna Kumar Chaudhary @ Krishna Choudhri S/o- Phagu Chaudhary R/o-  
44No. Dhala Kuldeep Nagar W.No-34, PS- Chapra Muffasil Dist- Saran at  
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      25-09-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sadar Excise P.S. Case No. 163 of 2025 registered for the alleged offences Sections 30(a), 32(3) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, from the e-rikshaw being driven by this petitioner, recovery of 84 liters of country made *chulai* liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to some other reasons best known to the informant herself. There is no compliance of mandatory provisions of law



while making search and seizure. The petitioner is not the owner of the seized e-rikshaw. Even the recovery has not been made from the said e-rikshaw as the recovery has been made from an open place where the e-rikshaw was parked. The petitioner is having clean antecedent and he is in custody since 19.07.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise)-3, Saran at Chapra/court concerned in connection with Sadar Excise P.S. Case No. 163 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be the close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (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)

Ashish/-

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