

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68150 of 2025

Arising Out of PS. Case No.-191 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Babulal Chaudhary,(Male) aged about 48 Years, Son of Kailu Chaudhary @
Kailash Chaudhary, Resident of village- Takuatand, P.S. - Rajauli, District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-10-2025 Heard Mr. Deepak Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Syed
Ehteshamuddin, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with G.O. Case No. 191 of 2014 registered for the offence
punishable under Section 47(a) of the Bihar Excise Act, 1915.

3. Allegation is of recovery of 30 litres of *mahua*
liquor from the house of the petitioner and petitioner was found
to be engaged in manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to local village politics. Petitioner has no
concern with the seized liquor nor he is involved in trade of



liquor in any manner. Since, no action was taken from the date i.e. 03.01.2014 the prosecution report was filed and case so pending in learned Exclusive Special Excise Court-2, Nalanda, there was no question of apprehension of the petitioner. However, petitioner is ready to make payment of the total loss, which has been put to the State. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that petitioner is ready to abide by the provisions of Bihar Excise Act, 1915 as amended up-to-date, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada, in connection with G.O. Case No. 191 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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