

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69810 of 2025

Arising Out of PS. Case No.-221 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Amit Kumar Choudhary, S/O Vijay Choudhary, R/O Village- Jaipur, P.S-
Gurua, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Excise Sherghati P.S. Case No. 221 of 2025 registered for the alleged offence under Sections 30(a)/32(3) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, police received information about smuggling of illicit liquor. A trap was laid but the miscreants tried to run away with the vehicle on seeing the police party and met with an accident. The petitioner was apprehended in injured condition, whereas other co-accused persons fled away from the spot. From the search of the vehicle, recovery of 148 liters of illicit liquor was made.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner is the owner of the vehicle and has been arrested merely on suspicion. The vehicle was being driven by one Sudhir Yadav, who managed to escape from the place of occurrence. The petitioner was not apprehended from the vehicle and nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 27.07.2025 and is having clean antecedent. The charge sheet has been submitted.

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

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner, submission of charge sheet 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 Special Judge, Excise No. 3, Gaya/court concerned in connection with Excise Sherghati P.S. Case No. 221 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.

(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)

V.K.Pandey/-

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