

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70927 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- RAJPUR District- Buxar

Awadhesh Chouhan @ Awadhesh Chauhan S/o Paras Nath Chouhan R/o
Village- Devadhiyan, PS- Rajpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 1.62
litre illicit foreign liquor from the possession of petitioner and
he was apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to his criminal antecedents. He further submits that no
incriminating article has been recovered from the conscious
possession of petitioner and the alleged recovery has been made
near Kochadhi Village Bridge which is an open place and
accessible to public at large. Learned counsel submits that



petitioner has no concern with the alleged seized liquor. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law as there is no independent witness to the seizure list. Learned counsel submits that petitioner is in custody since 24.07.2025, having four criminal antecedents, out of which three cases belongs to similar nature and he is on bail in all the cases. Chargesheet has already been submitted in this case after completion of investigation. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Rajpur P.S. Case No.254 of 2025 with following conditions:-

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his bail bonds by the learned Trial Court;

(ii) The petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iii) The petitioner shall desist from committing any
such criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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