

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72593 of 2025**

Arising Out of PS. Case No.-49 Year-2025 Thana- SAMASTIPUR District- Samastipur

Shri Rupesh Kumar Choudhary @ Rupesh Kumar @ Rupesh Chaudhary @
Rupesh Kumar Choudhary Son of Shri Sameer Choudhary @ Sameer
Choudhary @ Sameer Chaudhary R/o Village - Fatehpur Wala, P.S. -
Musarigharari, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra

For the Opposite Party/s : Mr. Md. Iftexhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Samastipur Town P.S. Case No. 49 of 2025 dated 12.02.2025 registered for the offences punishable u/ss 30(a), 33 and 36 of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 17.250 litres of illicit foreign liquor, 40 litres of illicit spirit, caps 105 piece, empty gas cylinder and a mobile phone were recovered from the house of one Shiv Narayan Yadav.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has



already been granted regular bail by this court vide order dated 23.04.2025 passed in Cr. Misc. No. 24192/2025. The petitioner has no concern with the alleged recovery. The petitioner has seven criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 20.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Samastipur Town P.S. Case No. 49 of 2025, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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