

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73667 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- MASHRAK District- Saran

Santosh Chaudhary @ Santosh Kumar Choudhary, S/o Late Raghunath Choudhary, R/o Village- Sikti Bhikham, P.S.- Mashrakh, District- Saran
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-10-2025 Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioner and Mr. Ajit Kumar, learned APP for the State.

2. Petitioner seeks regular bail in connection with Mashrakh P.S. Case No. 137 of 2025 dated 31.03.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act.

3. The main submissions advanced by petitioner's counsel are that the instant matter relates to the recovery of 7 litres of country-made liquor (Mahua), allegedly from the place which is situated behind the house of the petitioner, which is not under his possession and in this regard, he has made a specific statement in the paragraph No. 8 of the petition. It is further submitted that as per the prosecution's allegation, when the police reached at the alleged place, two persons managed to escape upon seeing the police party, then some local persons gathered, who disclosed the names of those persons, in which



the name of this petitioner surfaced but in the entire FIR, the names of the said local persons has not been disclosed and the seizure of the alleged liquor was made only before the police officials. It is lastly submitted that the petitioner has been languishing in jail since 09.09.2025.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. Considering the above stated facts and mainly the fact that the recovery of the alleged liquor is said to have been made from a place which is situated behind the house of the petitioner and he has specifically taken the defence that the said place is not under his possession and there is no independent witness to the alleged recovery, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named- above be released 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 the court concerned in connection with Mashrakh P.S. Case No. 137 of 2025.

(Shailendra Singh, J)

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