

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76202 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- GUTHANI District- Siwan

Sandeep Kumar Chaudhary S/o Vijay Chaudhary @ Vijay Rajbhar Resident
of Village- Hussainganj, PS- Hussainganj, Distt.- Siwan Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Guthani P.S. Case No.- 237/25, instituted for the offences
punishable under Section 30(a), 41 of the Bihar Prohibition and
Excise Act, 2022.

3. The prosecution case, in short, is that 360 liters
liquor was recovered from car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that petitioner is neither the owner nor the driver of the seized
vehicle. It is further submitted that apprehended co-accused
person disclosed the name of the petitioner. Learned counsel for
the petitioner submits that the petitioner is in custody since



13.08.2025 and has got five criminal antecedents in which, he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Guthani P.S. Case No.- 237/25, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra,J)

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