

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83891 of 2025

Arising Out of PS. Case No.-369 Year-2025 Thana- Daudnagar Excise District- Aurangabad

Satyendra Chaudhary Son of Banshi Chaudhary, Resident of Vill. - Raghunath
Bigha, Koilawan, P.S. - Haspura, Distt. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-12-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Daudnagar Excise P.S. Case No. 369 of 2025 dated 11.10.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the allegation, when the police reached near the pond, they saw three persons were fleeing away and the police found 60 liter illicit liquor at the pond. It is further case of the prosecution that as per information, it is the petitioner amongst other co-accused who had fled away.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that petitioner is no way involved in the alleged offence and he was not present at the place of recovery. He further submits that police has not even disclosed the source of the information regarding identity of the petitioner, which shows that there is totally false and fabricated case against the petitioner. As such, there is no legally admissible material on record to connect the petitioner with the alleged offence. Hence, no *prima facie* case is made out against the petitioner under Excise Act and the petitioner is entitled to get anticipatory bail.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Daudnagar Excise P.S. Case No. 369 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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