

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83978 of 2025

Arising Out of PS. Case No.-240 Year-2017 Thana- VIJAYEPUR District- Gopalganj

Syam Bihari Chaudhary @ Shyam Bihari Chaudhary @ Shyam bihari Yadav
S/o Late Sri Ram Awadh Yadav @ Late Sri Ram Awadh Bihari Resident of
Village - Vishnupura, P.S - Vijaipur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Shaheen Begum, APP

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

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 4 of the
supplementary affidavit in course of day.

3. The petitioner seeks bail in connection with Vijaipur
P.S. Case No. 240 of 2017, instituted for the offences under
Sections 272, 273, 420 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act.

4. Prosecution case, in short, is that total 2.4 liters of
liquor has been recovered from the possession of petitioner
along with other co-accused person and both the accused
persons were arrested on spot.

5. Learned counsel for the petitioner submitted that



present case is the case of misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on 06.01.2018 by the learned court below. It is further submitted that on 16.02.2022 the bail bonds of the petitioner was cancelled as the petitioner did not appear before the learned Court below. Thereafter, on 17.02.2022 non-bailable warrant was issued against the petitioner and on 19.08.2022 process of Section 82 of Cr.P.C. was issued. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.10.2025 and has four criminal antecedents. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the undertaking given by the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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 Vijaipur P.S. Case



No. 240 of 2017, 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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