

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82982 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- Nawalpur District- West Champaran

1. Rajesh Chaudhary S/O Arjun Chaudhary @ Arjun Choadhri R/O vill.- Piprahiya, P.S.- Nawalpur, Distt.- West Champaran
2. Janardhan Chaudhary S/O Arjun Chaudhary @ Arjun Choadhri R/O vill.- Piprahiya, P.S.- Nawalpur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Nawalpur PS. Case No. 187 of 2025 dated 23-10-2025,
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The allegation is of recovery of 18 litres of illicit
country-made liquor from the mango orchard of Anjun
Chaudhary.

4. Learned counsel for the petitioners submits that
petitioners are innocent and they have been falsely implicated in
the present case. It is submitted that nothing incriminating



article has been recovered from the conscious possession or from the house of the petitioners. It is further submitted that the seized illicit liquor was recovered from an open place accessible to all. It is also submitted that petitioner no. 1 has no criminal antecedents, whereas petitioner no. 2 has two criminal cases pending against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.II Bettiah, West Champaran, in Nawalpur PS. Case No. 187 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023, and further that (i) petitioner no. 2 shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court, and in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the Court below, (ii) that one of the bailors shall be his own blood relation,



preferably father, mother, brother, sister, or wife, (iii) that the bailors shall also state on affidavit that they will inform the Court concerned if petitioner no. 2 is made an accused in any other case of similar nature after his release in the present case, whereafter the Court below will be at liberty to initiate proceedings for cancellation of bail on the ground of misuse, (iv) that if petitioner no. 2 tampers with the evidence or the witnesses, the prosecution will be at liberty to move for cancellation of bail, and (v) that petitioner no. 2 will appear before the SHO of the concerned police station in the first week of each month till the framing of charge.

7. The application stands allowed.

(Khatim Reza, J)

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