

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86743 of 2024**

Arising Out of PS. Case No.-1146 Year-2024 Thana- Excise P.S. District- Aurangabad

Mahendra Chaudhari, Son of Sitaram Chaudhari, Resident of Village -  
Meghraj Bigha, P.S. - Muffasil, District - Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Mukul Kumari, Advocate  
For the State : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      22-03-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,  
in connection with G.R. No. 2004 of 2024 arising out of Excise  
P.S. Case No. 1146 of 2024, dated 16.11.2024 registered for the  
offences punishable under Sections 30(a) of the Bihar  
Prohibition and Excise (Amendment) Act, 2018.

3. As per allegation, 67.03 liters of liquor has been  
recovered from an open space near a boring.

4. Learned counsel for the petitioner submits that the  
Petitioner is innocent and has falsely been implicated in this  
case. He further submits that the petitioner has nothing to do  
with the alleged recovery of liquor and the place of recovery is  
accessible to public.



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 no criminal antecedents.

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 Special Judge of Excise-II, Aurangabad, in connection with G.R. No. 2004 of 2024 arising out of Excise P.S. Case No. 1146 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC 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, 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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