

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85544 of 2025

Arising Out of PS. Case No.-235 Year-2025 Thana- SANDESH District- Bhojpur

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1. Vijay Chaudhary S/O Rajeshwar Chaudhary R/O Vill.- Saripur P.S- Sandesh, Dist- Bhojpur
 2. Shyam Bihari Chaudhary. S/O Late Tittan Chaudhary @ Late Tippan Chaudhary R/O Vill.- Saripur P.S- Sandesh, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-12-2025 Heard Mr. Shiv Prasad Gupta, learned counsel
for the petitioners and Mrs. Renu Kumari, learned APP for the
State.

2. The petitioners seek bail in connection with Sandesh P.S. Case No. 235 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 215 liters liquor was recovered from jute sack at the bank of a river and both the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners were arrested only on the basis of suspicion. It is further submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioners are in custody since 28.09.2025 and have got one criminal antecedent 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 petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sandesh P.S. Case No. 235 of 2025.

(Rudra Prakash Mishra, J)

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