

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1490 of 2026

Arising Out of PS. Case No.-630 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

1. Nitish Kumar Chaudhary S/O Late Dwarika Chaudhary @ Dourika Choudhary Resident of village- Sargatti P.S-Garkha, District- Saran at Chapra.
2. Rishi Chaudhary Son of late Umesh Chaudhary Resident of village-Anand Nagar ward No- 12, P.S.- Rivilganj, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.
For the Opposite Party/s : Ms. Shaheen Begum, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Chapra Muffasil PS Case No. 630 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 200 liters of country made liquor was recovered from the auto.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have 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 submit that the petitioners are neither the owner nor the driver of the said vehicle in question, they were merely the passengers having no knowledge of the goods loaded in the vehicle. The petitioner is in custody since 27.11.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chapra Muffasil PS Case No. 630 of 2025.

(Rudra Prakash Mishra, J)

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