

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5942 of 2026

Arising Out of PS. Case No.-163 Year-2025 Thana- BHAIKAVSHTHAN District-
Madhubani

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1. Ujjawal Choudhary S/O Late Sanjeev Kumar Choudhary R/O Village-
Dhakjari, Ward No. 09 P.S.- Jainagar, Distt.- Madhubani
 2. Govind Kumar Choudhary S/O Udaykant Chaudhary R/O Guradhara, P.s.
and Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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

ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with G.R,
No. 768 of 2025 arising out of Bhairavsthan P.S. Case No. 163
of 2025 instituted for the offences punishable under Sections
274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 486 litres
of liquor was recovered from car.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioners are not the owner of the vehicle. It is further submitted that petitioner no.1 is the driver of the vehicle in question whereas petitioner no.2 is the passenger and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 12.12.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 petitioner no. 2 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 G.R, No. 768 of 2025 arising out of Bhairavsthan P.S. Case No. 163 of 2025.

8. Let the petitioner no. 1 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 G.R, No. 768



of 2025 arising out of Bhairavsthan P.S. Case No. 163 of 2025,
subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner no. 1.

(II) The petitioner no.1 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 no.1.

(Rudra Prakash Mishra, J)

Alok Verma/-

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