

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15016 of 2026

Arising Out of PS. Case No.-44 Year-2026 Thana- Excise P.S. District- Lakhisarai

Nepali Chaudhary S/O Rajo Chaudhary R/O Vill.- Nayabazar, Bazar Samiti,
Near Pir Baba, ward no. 31, P.s.- Kaviya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Bilochan, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr.Mayank Bilochan, learned counsel for the
petitioner and Ms.Renu Kumari,learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
20.01.2026 in connection with Lakhisarai Excise P.S. Case No.
44c2/2026, F.I.R. dated 19.01.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 07 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR itself that nothing has been
recovered from conscious possession of the petitioner rather the
recovery has been made from the house of the petitioner and
there is non-compliance of Section 103 of BNSS, 2023 and
petitioner is not the exclusive owner of the house in question



and the house in question is joint family property of the petitioner and the petitioner is in custody since 20.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but fairly submits that the petitioner is on bail in all the pending matters, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Addl. Sessions Judge-VII-cum-Exclusive Spl. Excise Court-II, Lakhisarai in connection with Lakhisarai Excise P.S. Case No. 44c2/2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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