

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23864 of 2026

Arising Out of PS. Case No.-891 Year-2025 Thana- MAJHAULIA District- West Champaran

Ashok Chaudhary S/o Late Shital Chaudhary R/o Village- Sariswa Bazar, P.S-
Majhauriya, Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Ranjan Garg, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner submits that the criminal antecedents of the petitioner has been disclosed in paragraph no. 3 of the bail petition; hence, he prays for ignoring the defect pointed out by the office.

3. In view of the aforesaid submission, the defect pointed out by the office is ignored and the matter is taken up for admission.

4. The petitioner has preferred this application for grant of regular bail in connection with Majhauriya P.S. Case No. 891 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.



5. As per the prosecution case, 20.05 litres of illicit liquor was recovered from the house of the petitioner.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that the petitioner was not apprehended from the spot and no incriminating material was recovered from his possession. Moreover, similarly situated co-accused has already been granted bail by a Coordinate Bench of this Court vide order dated 27.02.2026 passed in Cr. Misc. No. 14851 of 2026. It has also been submitted that the recovery was made from the joint house of the petitioner, where other family members also reside. It has also been submitted that the procedure prescribed under Section 103 of the B.N.S.S. has not been followed. The charge sheet has been filed in this case. Lastly, it has been submitted that the petitioner has got two criminal antecedents in which he is on bail and he is in custody since 07.01.2026.

7. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner has two criminal antecedents of similar nature of offence.

8. Heard the parties and perused the record.



9. Considering the above facts and circumstances of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Majhauilya P.S. Case No. 891 of 2025, with condition(s):-

(i) If the petitioner's involvement is found in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bonds.

10. The application stands allowed.

(Praveen Kumar, J)

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