

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23987 of 2026

Arising Out of PS. Case No.-1004 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

=====

Bhola Chaudhary @ Bhola Chaudhari S/O Late Janki Chaudhary Resident of
Village - Balua Chikpatti (Baluwa Bazar), P.S.- Motihari Town, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Kanhiya Kishor

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Section 30(a) of the Bihar Excise
Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of 14 cases under the Excise Act and
allegation is of recovery of 160.7 liters of liquor from house of
Sunarpati Devi and 22.04 liters of liquor from house of
petitioner.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and the house in
question is a joint family property, as such, it cannot be alleged
with certainty that it was petitioner who had kept the liquor in



the house or the liquor kept in the house was within his knowledge and after amendment in the excise act in the year 2018, the concept of deemed possession and presumed offender has been done away with and he came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation. It is also submitted that petitioner earlier in similar manner came to be implicated in cases relating to Excise. It is also submitted that petitioner is in custody since 20.01.2025 and if privilege of bail is granted, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Motihari Town P.S. Case No. 1004 of 2025.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

