

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25231 of 2026**

Arising Out of PS. Case No.-11 Year-2026 Thana- R S P.S. District- Araria

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Amar Chaudhary @ Doma Son of Panch Lal Chaudhary Resident of village -  
Majkuri, Ward No.- 04, P.S.- R.S., Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      16-04-2026                      Heard Mr. Ramesh Kumar Singh, learned counsel  
  
for the petitioner and Mr. Anil Kumar, learned Additional Public  
  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
24.02.2026 in connection with R.S. P.S. Case No. 11 of 2026,  
F.I.R. dated 16.01.2026 for the offences punishable under  
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 200 liters of illicit country made  
liquor.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has falsely been implicated in the  
present case merely on the basis of suspicion. He further  
submits that it appears from the F.I.R. as well as seizure list that  
nothing has been recovered from the conscious possession of



petitioner rather recovery has been made from the possession of co-accused, namely, Rahil Shah. As per allegation in the FIR the petitioner escaped from the place of occurrence and he has been made accused in the present case due to his previous criminal antecedents of similar nature. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS and the petitioner is in custody since 24.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries seven criminal antecedents other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, 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 the learned Exclusive Special Judge Excise-I, Araria/Concerned Court in connection with R.S. P.S. Case No. 11 of 2026, subject to 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 absence on two consecutive dates without sufficient reason, his 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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