

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26374 of 2026

Arising Out of PS. Case No.-347 Year-2025 Thana- NAVINAGAR District- Aurangabad

Babulal Chaudhary Son of Late Lakhan Chaudhary Resident of Village -
Janakpur Pokhrapar, P.S. - Nabinagar, District - Aurangabad (Bihar), PIN -
824301

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-04-2026 Heard Mr. Pramendra Kumar Singh, learned counsel
for the petitioner and Mr. Sanjay Kumar Sharma, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.03.2026 in connection with Navinagar P.S. Case No.
347/2025, F.I.R. dated 07.12.2025 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 15 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Learned counsel submits that the name of the
petitioner has come in the disclosure made by the co-accused
person, namely, Chintu Kumar, who has been granted regular



bail by the co-ordinate Bench of this Hon'ble Court vide order dated 27.01.2026 passed in Cr. Misc. No. 4508/2026. 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 the petitioner. The seizure list witnesses are police personnel and there is non-compliance of Sections 103 and 105 of the BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.03.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries eight criminal antecedent but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

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 Court of District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. 1, Aurangabad in connection with Navinagar P.S. Case No. 347/2025, 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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