

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29412 of 2026

Arising Out of PS. Case No.-125 Year-2026 Thana- BELAGANJ District- Gaya

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1. Durga Chaudhary S/o- Rajendra Chaudhary R/v- Sundarpur Ps- Belaganj Dist- Gaya
 2. Vikash Chaudhary @ Vikash Kumar Chaudhary S/o- Papu Chaudhary @ Pappu chaudhari R/v- Sundarpur Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rabia Gulnaz, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2026 At the outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the prayer for bail on behalf of petitioner no.2 Vikash Chaudhary @ Vikash Kumar Chaudhary submitting that the petitioner no.2 has been arrested during the pendency of the bail application.

2. In view of the above, the prayer for bail on behalf of petitioner no.2 Vikash Chaudhary @ Vikash Kumar Chaudhary stands dismissed as withdrawn.

3. Heard learned counsel appearing on behalf of the petitioner no. 1 and learned APP for the State.

4. The petitioner no.1 seeks pre-arrest bail in connection with Belaganj P.S. Case No. 125 of 2026 registered



for the offence punishable under Sections 30(a), 30(c) and 30(d) of the Bihar Prohibition and Excise Act.

5. Allegation is of recovery of 50 litres of country made liquor from the bank of Falgu river.

6. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in the case due to enmity. He has no concern either with the seized liquor or trade of liquor in any manner. The place of recovery is an open place which is accessible to anyone.

7. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

8. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R. and the fact that the place of recovery is an open place which is accessible to anyone, the petitioner no.1 Durga Chaudhary is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Belaganj P.S. Case No. 125 of



2026, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) BNSS.

9. The District Court is directed to verify the criminal antecedent of the petitioner no.1 and if it is found that the petitioner no.1 is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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