

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30485 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- KALYANPUR District- East Champaran

Shatrudhan Chaudhary S/o Bhola Chaudhary Resident of village - Pakadi
Dixit, P.S - Kalyanpur, District - East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 15.03.2026 in connection with Kalyanpur P.S. Case No. 50 of 2026 for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. The case of the prosecution, in brief, is that on 6.2.2026, at about 16.25 p. m., the informant, S.I., Vineet Kumar, recorded his self statement, alleging therein that during the course of patrolling police reached village Pakadi Dixit and seeing police force two persons fled away who were identified by villagers as Jitan Chaudhary and Shatrudhan Chaudhary. On search, 825.600 liters of country made liquor was recovered from the hut and bamboo orchard of Jitan Chaudhary and



Shatrudhan Chaudhary, and the same was seized.

4. Learned counsel for the petitioner submits that it appears from the FIR that altogether 825.600 liters of country made liquor was recovered from the hut and bamboo orchard of co-accused Jitan Chaudhary and as per the allegation as alleged in the FIR other co-accused persons have fled away from the place of occurrence. It is next submitted that villagers have identified the petitioner and other co-accused persons and stated that they have fled away from the place of occurrence. It is next submitted that except the aforesaid, nothing has come to suggest the involvement of the petitioner with the present occurrence and petitioner on bail and petitioner is in custody since 15.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three cases other than the present case but fairly submits that petitioner is on bail in all 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 Court of



Exclusive Special Excise Court No. 3, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 50 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)

Gaurav Sinha/-

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