

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31328 of 2026

Arising Out of PS. Case No.-61 Year-2026 Thana- ATHMALGOLA District- Patna

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Ravi Kumar Chaudhary S/O Late Ranjeet Chaudhary @ Late Ranjeet Kumar
@ Ranjeet Chaudhari R/o vill- Sohadih, P.S.- Sohsarai, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Sudish Kumar, learned counsel for the

petitioner and Mr. Ajay Kumar No. 2, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.03.2026 in connection with Athmalgola P.S. Case No. 61 of
2026 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The case of the prosecution, in brief is that on the
basis of written typed application of informant namely Dilip
Kumar (A.S.I of Athmalgola P.S) and alleging therein that on
01.03.2026 at about 2.00 P.M. he was on duty in front of the
police station with armed force for checking of travelling
vehicle at the N.H.31 Paned Road from a criminal prospective
and during this course at about 03.05 P.M a passenger tempo



bearing Reg. No. BR-01PP-6016 coming from Barh was stopped for inspection with the help of armed force then a young person sitting in the back seat of such Tempo with a black coloured Pitthu Bag became nervous on seeing the police force. On suspicion he was made to get down from tempo along with the bag with the help of armed force and ask he disclosed his name. Thereafter the police searched the bag and 13.5 litres foreign liquor were recovered from the Pitthu Bag. Accordingly seizure list was prepared before the two police constables who have signed on the seizure list.

4. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that recovery has been made from the tempo in question and altogether 13.5 liters of Indian made liquor was recovered from the bag of the petitioner. It is next submitted that from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and petitioner is in custody since 02.03.2026.

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 five cases other than



the present case but fairly submits that 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, Barh at Patna in connection with Athmalgola P.S. Case No. 61 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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