

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38759 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- DULHIN BAZAR District- Patna

Shankar Chaudhari S/O Kishor Chaudhari R/O Vill.- Naka No. 1, Ward no. 6,
P.S. and Dist.- Jehanabad.

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.03.2026 in connection with Dulhin Bazar P.S. Case No. 87 of
2026 for the offences punishable under Sections 30(a), 41 and
56 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in brief, is that on 03-
03-2026, the police received a secret message and to verify the
same they reached at the P.O. and started checking vehicles and
in that process they caught a person along-with his tempo, who
told his name as Shankar Chaudhary. On search altogether 240
liters of illicit country made liquor was recovered from the said
tempo bearing Registration No. BR25PA- 5614.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that it appears from the FIR that altogether 240 liters of illicit country made liquor was recovered from the said tempo in question and petitioner has been made an accused in the present case merely on the basis of suspicion. It is next submitted that petitioner is not the owner of the tempo in question. 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. Learned counsel for the petitioner next submits that petitioner is in custody since 04.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

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 Special Excise Judge, Danapur in connection with Dulhin Bazar P.S.



Case No. 87 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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