

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42082 of 2026

Arising Out of PS. Case No.-180 Year-2026 Thana- SURSAND District- Sitamarhi

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Sundaram Chaudhary @ Sundaram Kumar @ Forji S/O Rajiv Chaudhary @
Rajiv Ranjan Chaudhary R/O village - Maidan ward no.- 17 @ Sursand Tole
Maidan ward no. - 17 @ Maidan, P.S. - Sursand, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mrs.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sursand P.S. Case No. 180 of 2026 registered for the alleged offences under Section 317(5) of BNS and Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, police gave a chase from the vehicle being driven by the petitioner in which co-accused Ritik kumar was also sitting but the miscreants fled away and from the vehicle which met with an accident, recovery of 540 litres of country made Nepali liquor was made.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or conscious possession of the petitioner and the petitioner was not apprehended from the spot. The car from which recovery has been shown does not belong to the petitioner. The petitioner has been made accused in this case due to his criminal antecedent as he is having antecedent of nine cases but he is on bail in all the cases. The petitioner is in custody since 17.04.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from the conscious possession of the petitioner and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, Sitamarhi/concerned Court in connection with Sursand P.S. Case No. 180 of 2026, subject to the conditions mentioned in



Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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