

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46871 of 2026

Arising Out of PS. Case No.-139 Year-2026 Thana- KALYANPUR District- Samastipur

Sudhir Chaudhary @ Sudhir Choudhary, aged about 30 years, Male, Son of Jagdish Chaudhary, Resident of Madhopur Bhual, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Amar Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kalyanpur P.S. Case No. 139 of 2026 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 180 litres of illicit country-made liquor from the agricultural field of co-accused Ram Prasad Sahni and Sravan Sahni.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged



seized liquor nor he is involved in trade or consumption of illicit liquor in any manner. The recovery was made from the agricultural field of co-accused Ram Prasad Sahni and Sravan Sahni, which is an open place and easily accessible to anyone. The petitioner, who has one antecedent of similar nature, has been roped in the present case on the basis of disclosure made by the local *Chowkidar*, with whom the petitioner is on inimical terms. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the recovery of 180 litres of illicit liquor was made from the agricultural field of co-accused Ram Prasad Sahni and Sravan Sahni, which is an open place and easily accessible to any one and also the fact that the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned District Court where the case is pending, in connection with Kalyanpur P.S. Case No. 139 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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