

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48117 of 2026**

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

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Balo Chaudhary @ Balo Choudhary S/o Late Sonelal Chaudhary R/o Vill. -  
Kanhaipur, P.S. - Mokama , Distt. -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      20-07-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Mokama P.S. Case No.  
87 of 2026 instituted for the offences under Section 30(a) of the  
Bihar Prohibition and Excise Act and Sections 25(1-b)(a), 26  
and 35 of the Arms Act.

3. The prosecution case, in short, is that 94 liters liquor  
was recovered from Gallon. It is further alleged that one country  
made pistol and two live cartridges have also been recovered  
from the petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered



from the conscious possession of the petitioner. The petitioner has got no concern with the liquor or with the arms and ammunition. It is further submitted that recovery is made from the open place accessible to one and all. The petitioner is in custody since 23.02.2026 and has got five criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mokama P.S. Case No. 87 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) Petitioner shall not commit offence of similar



nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

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