IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77357 of 2026

CNR No. BRHC011118532026

Arising Out of PS. Case No.-86 Year-2026 Thana- CHEWARA District- Sheikhpura

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SARJU CHAUDHARY @ SARAUG CHAUDHARY Son of Karu Chaudhary Resident of Village- Beldari, P.S.- Chewara, District- Sheikhpura.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sheo Nandan Prasad
For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor on behalf of the State.

2. The petitioner has been languishing in custody since 18.09.2026, and has been made an accused for the offences registered under Section 30(a) of the Bihar Prohibition & Excise Act-2022, in connection with Chewara P.S. Case No. 86/2026.

3. As per the allegation in the FIR, a total of 46 liters of the country made liquor was alleged to have been recovered, out of which 2 liters were recovered from the motorcycle parked in front of the house of the petitioner, while the remaining 44 liters were recovered from the house of the petitioner.

4. The Learned counsel for the petitioner submits that petitioner lives in a joint family and he has no connection with

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the alleged offence. The Learned counsel further submits he has been arrested in this case four days after the alleged recovery on the basis of the information from a spy. The Learned counsel next submits that the petitioner has been involved in three cases in which he is already on bail. The learned counsel also submits that the petitioner has been languishing in custody since 18.09.2026. The Learned counsel undertakes to co-operate with the investigation and trial and not to repeat any offence.

5. The Learned APP appearing on behalf of the State has opposed the application.

6. Taking into consideration the aforesaid facts, prayer for bail is allowed and the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Exclusive Special Excise Court, Sheikhpura, connection with Nawada Chewara P.S. Case No. 86/2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) Before release, the learned court below shall verify

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the criminal antecedent of the petitioner and if he is found involved in any case other than three cases mentioned in para 3 of the bail, his bail bond shall not be accepted.

Cases mentioned in para-3 of the bail petition are as follows.

a) Excise P.S. Case No. 85 of 2024.

b) Excise P.S. Case No. 27 of 2024.

c) Excise P.S. Case No. 642 of 2025.

(iv) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(v) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner, and the delay shall not extend beyond a period of ten days.

(vi) If he repeats any offence of a similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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