

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81641 of 2025

Arising Out of PS. Case No.-158 Year-2022 Thana- SRINAGAR District- West Champaran

1. Vinod Chaudhary, aged about 35 years, Male, Son of Tulsi Chaudhary, Resident of village- Banka Khas, P.S.- Aairaiya Sujan, District- Kushinagar, U.P.
2. Ramjeet Singh @ Ramjee Singh, aged about 48 years, Male Son of Gangadev Singh, resident of village- Birbhat Konhawalia, P.S.- Tarayasujan, District- Kushinagar, UP.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Srinagar P.S. Case No. 158 of 2022 instituted for the offences punishable under Sections 147,148,149,307,353 of the Indian Penal Code and Sections 25(1-b)A, 26 and 35 of the Arms Act as well as Section 30(a), 41, 45 and 47 of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, there is recovery of 1515.98 liters of illegal liquor along with vehicle with 25 piece of live cartridge and four piece of dead cartridge.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence and



have falsely been implicated in this case only on the basis of suspicion. He submits that there are no any concerned with the seized liquor, arms or the vehicle. He further submits that the petitioners have not committed any offence and nothing have been recovered from the conscious possession of the petitioners nor the petitioners were apprehended at the spot. He next submits that due to village politics and previous enmity, police official disclosed the name of the petitioners as the seller of the illicit liquor. He lastly submits that the allegation against the petitioners are imaginary, baseless, concocted and false. Petitioners have got clean antecedent as stated in para 3 of the petition is in custody since 09.10.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. From perusal of the FIR, case diary and impugned order of the learned Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran dated 30.10.2025, it appears that petitioners are named in the FIR. From perusal of the records, it also appears that on the basis of written report of the informant, ASI, Amit Kumar Singh, FIR has been registered under Sections 147,148,149,307,353 of the Indian Penal Code and Sections 25(1-b)A, 26 and 35 of the Arms Act as well as Section 30(a),



41, 45 and 47 of the Bihar Prohibition and Excise Act and the allegation against the petitioners are of recovery of 1515.98 liters of illegal liquor along with vehicle with 25 piece of live cartridge and four piece of dead cartridge. It also appears that petitioners are not arrested at the spot and their names have been surfaced in this case only on the basis of suspicion. Similarly situated co-accused person namely Dhurva Yadav has been granted anticipatory bail by a Bench of this Court in Cr. Msic. No. 11447 of 2023 vide order dated 29.04.2023, so considering all these aspects of the case and submission of learned counsel for the petitioners, I am inclined to grant bail to the petitioners.

7. Accordingly the prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court-II, Bettiah, West Champaran in connection with Srinagar P.S. Case No. 158 of 2022.

(Ramesh Chand Malviya, J)

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