IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80140 of 2026

CNR No. BRHC011161242026

Arising Out of PS. Case No.-191 Year-2026 Thana- NIMCHAKBATHANI District- Gaya

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Nandu Chaudhary @ Nanhu Chdudhary son of Gehan Chaudhary @ Gahan Chaudhary Resident of village-Singha, PS-Neemchak Bathani, Dist.-Gaya Ji

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Neemchak Bathani P.S. Case No. 191 of 2026 registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 15 litres of illicit country made *mahua* liquor was recovered from the platform of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such recovery as alleged has taken place. It has further been submitted that the petitioner has been implicated in a false and

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concocted case and moreover the provisions of Section 103 of the BNSS, 2023 has not been followed. It has lastly been submitted that the petitioner carries a clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Neemchak Bathani P.S. Case No. 191 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.
(ii) The petitioners shall remain physically present in Court on each date of the trial.
(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
(iv) If the petitioners are found involved in

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similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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