

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83236 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- JANTA BAZAR District- Saran

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Amod Chaudhary S/O Late Nandlal Chaudhary R/O Village- Saran, P.S- Janta Bazar, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-01-2026 Heard Mr. Krishna Kumar Yadav, learned counsel

for the petitioner as well as Mr. Suresh Prasad Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.09.2025 in connection with Janta Bazar P.S. Case No. 212 of
2025, F.I.R. dated 12.09.2025 for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of two liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner and the police has
implicated the petitioner merely on the basis of his previous



criminal antecedent of similar nature and although the recovery has been made from the house of the petitioner and there is non-compliance of Section 100 of Cr.P.C/103 of BNSS. He further submits that the police after investigation submitted the charge sheet. The petitioner is in custody since 13.09.2025.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three criminal antecedent other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No-3, Saran at Chapra in connection with Janta Bazar P.S. Case No. 212 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, 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.

(Rajesh Kumar Verma, J)

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