IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57757 of 2026

Arising Out of PS. Case No.-124 Year-2026 Thana- HALSI District- Lakhisarai

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Karu Chaudhary Son of Late Ramdhani Choudhary R/o Village - Karunmachak, P.S.- Halsi, District - Lakhisarai

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rabi Bhushan, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Halsi P.S. Case No. 124 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, information was received about petitioner and co-accused concealing illicit liquor near a water tank. A raid was conducted and two persons fled away from the spot. The petitioner is said to be one of the escaped persons. On search of the place, from beneath the earth a white colour sack was recovered and from the said sack, recovery of 30 litres of country made liquor was made.

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04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner as is apparent from the FIR. Recovery has been made from the open place and the petitioner has no concern with the said place. The petitioner was not apprehended from the spot and there is no material to show his involvement. The petitioner is having antecedent of four cases and he is on bail in all the four cases. The petitioner is in custody since 22.06.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IVth -cum- Special Excise Court-1st, Lakhisarai/concerned Court in connection with Halsi

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P.S. Case No. 124 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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