

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2603 of 2025

Arising Out of PS. Case No.-356 Year-2024 Thana- PARSA District- Saran

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1. Sunil Chaudhary S/o- Shivnath Chaudhary Village- Parsauna P.S-Parsa District- Saran
 2. Geeta Devi W/o- Sunil Chaudhary Village- Parsauna P.S-Parsa District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in
connection with Parsa P.S. Case no.356 of 2024 registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a secret information
having been received that the petitioners are involved in the
business of liquor, the police party conducted raid and 32 liters
of country made liquor was recovered from the house of the
petitioners.

4. Learned counsel for the petitioners submits that the
petitioners have been falsely implicated in the case. No recovery



has been made from the conscious possession of the petitioners and the recovery has been shown from their house which is a joint family property and the petitioners have no knowledge as to whom the concerned liquor belongs. Learned counsel for the petitioners further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.N.S. The petitioner no. 1 has one criminal antecedent under the Bihar Prohibition and Excise Act and it is for this reason that the police has implicated him in the present case and has also shown false recovery and the petitioner no.2, who is the wife of petitioner no. 1, has no criminal antecedent. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner no. 1 has one criminal antecedent of the same nature.

6. Considering the above mentioned facts and circumstances, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Parsa P.S. Case no.356 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned 3rd Exclusive Special Excise Judge, Saran at Chapra, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed their criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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