

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13704 of 2025

Arising Out of PS. Case No.-456 Year-2024 Thana- Excise P.S. District- Begusarai

1. Sikandar Chaudhary S/o Late Damodar Chaudhary Residents of Village- Muzaffara Mali Tola, Ward No. 8, P.S.- Birpur District- Begusarai
2. Rekha Devi W/o Sikandar Chaudhary Residents of Village- Muzaffara Mali Tola, Ward No. 8, P.S.- Birpur District- Begusarai
3. Vijay Chaudhary @ Vikas Kumar @ Vijay Kumar S/o Amarjit Chaudhary Residents of Village- Muzaffara Mali Tola, Ward No. 8, P.S.- Birpur District- Begusarai
4. Mina Devi W/o Amarjit Chaudhary Residents of Village- Muzaffara Mali Tola, Ward No. 8, P.S.- Birpur District- Begusarai
5. Rekha Devi W/o Birendra Chaudhary Residents of Village- Muzaffara Mali Tola, Ward No. 8, P.S.- Birpur District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 03-07-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Begusarai Excise P.S. Case no.456 of 2024 registered under sections 30(a) and 45 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. A perusal of F.I.R and seizure list would go to show that two persons were arrested by the police being Ajit Kumar and Sunil Kumar Chaudhary who were trying to flee away from



the house with gallons of illicit liquor and a total of 33 liters of illicit country made liquor was recovered from their possession.

4. Learned counsel for the petitioners submits that it would appear from the F.I.R itself that no recovery was made from the physical or conscious possession of the petitioners and rather the persons from whom recovery was made, their entire family members have also been made accused in the present case. He further submits that there is violation of mandatory provision of search and seizure as no independent witness to the seizure list. The petitioners have no criminal antecedent and undertakes to co-operate in investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, 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 Begusarai Excise P.S. Case no.456 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 Court below where the case is pending/successor Court, 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.

(Soni Shrivastava, J)

Harsh/-

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