

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13566 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- RAJGIR District- Nalanda

Chote Singh @ Dharmendra Singh S/o Suresh Singh R/o Mahadevpur, PS-
Rajgir, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh,Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-04-2025 Heard Mr. Shashi Bhushan Singh, learned counsel for
the petitioner and Mr. Gauri Shankar Gupta, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Rajgir P.S. Case No. 04/ 2025 dated 02.01.2025 registered
for the offence(s) punishable under Section(s) 30(a) of the Bihar
Prohibition & Excise Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the petitioner has fair and
clean antecedent. As per the FIR, a 750 ml. bottle of Royal Stag
brand of foreign liquor containing 400 ml. liquor is alleged to
have been recovered from the shop of the petitioner, following a
disclosure statement made by the apprehended co-accused,
Rakesh Kumar, but admittedly the petitioner was not present at



the time of alleged recovery and name of the petitioner's shop does not find place in any of the seizure memos annexed to the FIR. Moreover, the recovery of the alleged liquor is not said to have been made from the conscious possession of the petitioner and the instant matter relates to the recovery of meagre quantity of liquor and the alleged offence under the Excise Act does not, even prima facie, attract against this petitioner.

4. Though the learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that in the seizure memos, name of the petitioner's shop does not find place and there is serious contradiction in relation to place of recovery shown in the FIR and the place of recovery detailed in the seizure memos.

5. Considering aforesaid submissions advanced by the petitioner's counsel and mainly taking into account the petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Rajgir P.S. Case No. 04/ 2025 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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