

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13826 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- HAYAGHAT District- Darbhanga

Ramnath Choudhary Son of Late Mishri Choudhary Resident of Village-
Navtolia (Dhobopur Bansara), P.S.- Hayaghat, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Hayaghat P.S. Case No.181 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. A perusal of the First Information Report and the seizure list would go to show that 50 liters of country made liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that, as a matter of fact, no recovery has been made from the house of the petitioner and one Hira Devi has been arrested in the present case who has disclosed the name of the petitioner only with a view to save her husband who was staying on rent in the house of the petitioner. Learned counsel further submits that no



recovery has been made from the physical or conscious possession of the petitioner and no independent witness has signed the seizure list.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the abovementioned facts and circumstances and further that the petitioner is a 71 years old person, who has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-1st (Excise Act), Darbhanga in connection with Hayaghat P.S. Case No.181 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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