

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15146 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

=====

Santosh Choudhary @ Santosh Kumar Son of Shankar Chaudhary R-O-
Village- Bhawanipur, PS- Kundwa Chainpur , District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. Ahmad Ali

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-04-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of
Kundwa Chainpur Police Station Case No. 03 of 2025,
dated 02.01.2025, disclosing offence under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018 (hereinafter
referred to as 'the Act').
3. The prosecution case, as per the First Information Report,
is that on 02.01.2025, during vehicle checking, the police
saw one motorcycle coming from Kharuhi village and on
seeing the police party the person turned the motorcycle
and started fleeing away. On suspicion, the person riding
on motorcycle was chased and apprehended, who



disclosed his name as Sachin Kumar. Upon search, the police recovered 27 liters of Nepali illicit liquor from the bag of the accused person and from dickey of the Super Splendor motorcycle, bearing registration no. BR030AL5513. On enquiry, the arrested accused person disclosed that recovered illicit liquor belongs to the petitioner, but no satisfactory response was given regarding the motorcycle, in question.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present on the basis of confessional statement of the arrested accused person. He next submits that the motorcycle, in question, does not belong to the petitioner and illicit liquor has not been recovered from the conscious possession of the petitioner and/or vehicle belonging to him.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the motorcycle, from where illicit liquor has been recovered, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge III, East Champaran, Motihari, in connection with Kundwa Chainpur Police Station Case No. 03 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

