

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16043 of 2025

Arising Out of PS. Case No.-435 Year-2024 Thana- EKMA District- Saran

Rakesh Chaudhary @ Rakesh Kumar Chaudhary S/o- Moti Lal Chaudhary
Village- Ganjpar Ps- Ekma Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtunjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Ekma P.S. Case No. 435 of 2024, dated 25.11.2024, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 20 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



further submits that the petitioner is named in the FIR, but his name figured in the case based on a disclosure made by the chowkidar. Counsel also submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of First Exclusive Special Excise Court, Saran at Chapra, in connection with Ekma P.S. Case No. 435 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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