

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21518 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- EXCISE MAHARAJGANJ District-
Siwan

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Tuntun Choudhary @ Tuntun Son of Late Indrajit Choudhary Resident of
village - Ragarganj, P.S.- Duraudha, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Ms. Anita Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Maharajganj Excise P.S. Case No. 300 of 2024, dated
22.12.2024, lodged under Sections 30(a) & 30(c) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 70 litres of
illicit liquor along with 1100 kg of Java Mahua Gur 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 has no criminal antecedents
and that no recovery has been made from his possession
therefore, there is a lack of evidence under the Excise Act.



Counsel also submits that the petitioner's name has figured in this case solely on the basis of the confessional statement of the apprehended person, who disclosed that the petitioner works for him as a daily wager. Counsel further submits that the apprehended person was caught red-handed with 70 litres of illicit liquor.

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 Exclusive Special Excise Court No. II, Siwan, in connection with Maharajganj Excise P.S. Case No. 300 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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