

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22525 of 2025

Arising Out of PS. Case No.-854 Year-2024 Thana- BIDUPUR District- Vaishali

Surendra Chaudhary Son of Late Jadoo Chaudhary Resident of Village -
Kutubpur, Police Station - Bidupur, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bidupur P.S. Case No. 854 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, police came to know from the villagers that petitioner and other store foreign liquor in the house and used to sell it. It is further alleged that 70.855 litre foreign liquor was recovered from the house of co-accused- Sunny Kumar.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case.



Petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. He further submits that search and seizure has not been made in accordance with law as there is no compliance of Section 103 of B.N.S.S. Petitioner has falsely implicated in the present case just because he is father of the co-accused-Sunny Kumar. Basically, no offence is made out against the petitioner as petitioner is living separately from the house of co-accused-Sunny Kumar.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No.854



of 2024, subject to the conditions as laid down under Section
482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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