

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.27509 of 2025

Arising Out of PS. Case No.-486 Year-2015 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

Rambalak Choudhary Son of Late Lalo Choudhary R/o Tungi Tola Chakpar,
P.S.- Hisua, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

- 3 07-08-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with G.O. P.S. Case no.486 of 2015 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. A perusal of F.I.R and seizure list would go to show that a total of 40 liters of country made liquor was recovered in a open field.
4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case on the disclosure made by local *chawkidar* who has inimical terms with the petitioner. He further submits that there was no independent witness to the seizure list and no recovery has been made from the physical or conscious possession of the petitioner. The said field is an open place and accessible to everyone. The petitioner undertakes to cooperate in the case/trial.



5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioner has five criminal antecedent out of which three are of similar nature. In response, learned counsel for the petitioner submits that he is on bail in three cases out of the said five cases.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with G.O. P.S. Case no.486 of 2015 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 Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the following conditions:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer as and when required till investigation is concluded against him.



(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay preferably within a period of two weeks.

(Soni Shrivastava, J)

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