

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21971 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- NARDIGANJ District- Nawada

1. Girija Devi @ Girja Devi wife of Late Dinesh Choudhary Resident Of Village- Pesh Ps -Nardiganj District -Nawada
2. Ramdeo Choudhary Son of Kameshwar Chaudhary Resident Of Village- Pesh Ps -Nardiganj District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Nardiganj P.S. Case No. 8 of 2025, lodged on 05.01.2025, under Sections 30(a)/30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioners. Total recovery of 10 litres of illicit liquor and 400 liters of



fermented liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the recovery of alleged illicit liquor has been made from behind the house of the petitioners. He submits that there is allegation that they were seen at the place of occurrence but not apprehended. Counsel further submits that recovery has been made from the open place which is not belong to the petitioners. Counsel further submits that the Chaukidar disclosed the names of the petitioners due to village politics. Counsel submits that the criminal antecedent of the petitioners is not clean as there is one criminal case of identical nature pending against the petitioners. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned Additional Public Prosecutor appearing on behalf of the State opposes the prayer for anticipatory bail and submits that antecedent of the petitioners is not clean. There is one criminal antecedent of identical nature is pending against the petitioners.

6. Considering the facts and circumstances of the



case, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioners within six weeks from today, the prayer for regular bail shall be considered in course of the day on its own merit without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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