

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25673 of 2025

Arising Out of PS. Case No.-61 Year-2025 Thana- CHAKIA District- East Champaran

Shankar Chaudhary Son of Mohan Chaudhari village- Shanti Nagar, Ps-
Chakia, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-05-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Chakia Police Station Case No. 61 of 2025, dated 17.02.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (hereinafter referred to as ‘the Act’).
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner has hidden country made liquor in a haystack near his house, reached at the place of occurrence. Upon search the police recovered 40 liters of illicit liquor from the haystack.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to oblique motive and village politics. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or from the premises belonging to him. Rather, illicit liquor has been recovered from haystack near his house, which is situated in open space accessible to all and sundry. The petitioner has got no criminal antecedent.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and illicit liquor has not been recovered from the conscious possession of the petitioner, rather, the same has been recovered from an open space accessible to all and sundry, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise



Court No. 3, Civil Court, East Champaran at Motihari, in connection with Chakia Police Station Case No. 61 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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