

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24635 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- KOPA District- Saran

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Kailash Chaudhary @ Kailash Kumar Chaudhary @ Chhotan Chaudhary S/O
Munna Chaudhary R/O Kopa Bada Par, P.S- Kopa, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Rana Ishwar Chandra, Advocate
For the State : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. The case of the prosecution in brief is that on
26.01.2025, based on secret information, police raided the
petitioner's house at village Kopa Beda, suspecting illegal liquor
trade. The police recovered 56.180 liters of foreign liquor, 70
liters of country-made liquor and a fridge from the premises.

4. The learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in the
present case, it is next submitted that petitioner's name has been
implicated in this case at the behest of villagers. It is next



submitted that the recovery has been made from the premises which belongs to Munna Chaudhary which has been mentioned in the FIR. It is next submitted that the entire thrust of the FIR is against Munna Chaudhary and not against the petitioner. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that although the petitioner has three criminal antecedents which has been disclosed by the learned counsel for the petitioner in paragraph-3 of the application, in the present case, the petitioner has been unnecessarily implicated at the behest of the villagers and has not committed the offence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nothing has been recovered from the conscious possession of the petitioner and that the premises from which the recovery has been made has been stated in the FIR to be of Munna Chaudhary and further that Munna Chaudhary against whom the entire thrust of the FIR is has already been granted the privilege of anticipatory bail by order dated 23.04.2024 passed in Criminal Misc. No. 21554 of 2025, this Court is inclined to grant the privilege of anticipatory to the petitioner.



7. Accordingly, the petitioner in the event of his arrest or surrender within four weeks from today, let the petitioner, as named above, be enlarged on bail 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 of 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Kopa P.S. Case No. 14 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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