

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27469 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Excise P.S. District- Araria

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Vikram Kumar Chaudhary @ Bikram Kumar Chaudhary Son Of Jainarayan
Choudhary R/O Vill.- Amhara, P.S.- Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Araria P.S. Case No. 05 of 2025, dated 05.01.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, total 17 litres of illicit wine was recovered from a Hero Honda motorcycle, and therefore, the petitioner, being the owner of the said vehicle, has been made an accused in the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the FIR was lodged in the year 2025, whereas the



petitioner had already sold the motorcycle in question to another person through a notarised affidavit in 2023. It is also submitted that the petitioner has no criminal antecedents.

5. Learned APP for the State opposes the prayer for bail and submits that the sale deed presented in the form of an affidavit is questionable, as it bears only the name of the seller without the signature of the purchaser, which creates doubt regarding its authenticity. It is, however, submitted that the petitioner has no criminal antecedents and the quantity of illicit liquor recovered is relatively small, i.e., 17 litres.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Spl. Judge Excise- II, Araria, in connection with Araria P.S. Case No. 05 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. It is made clear that the Trial Court shall direct the concerned police to verify the identity of the purchaser mentioned in the notarised affidavit filed before this Court. The



concerned police authorities shall conclude the said inquiry within a period of three months. The petitioner is directed to cooperate in the inquiry, and in case he fails to do so, the anticipatory bail granted by this Court shall be liable to be cancelled.

(Dr. Anshuman, J.)

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