

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34603 of 2025**

Arising Out of PS. Case No.-45 Year-2025 Thana- DAGARUA District- Purnia

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Basant Choudhary @ Basant Chaudhary @ Basant Kr. Choudhary S/o Shivan Choudhary Resident of Village- Barsouni, Ward no. 08, P.S.- Dagarua, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      21-05-2025                      Heard Mr. Fazle Karim, learned counsel for the petitioner and Mr. Kumar Ranjit Ranjan, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Dagarua P.S. Case No. 45 of 2025 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 06.02.2025 by the informant, Arjun Ram.

3. As per the prosecution story, the informant alleged that on secret information, the husk near the petitioner's house was raided and there is recovery/seizure of 15 litre country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is not from the house rather



from the husk, an open place, only because he has criminal antecedent, got implicated.

5. Learned APP opposes the prayer submitting that it has been recovered near the house of the petitioner.

6. Taking into account the submissions of the parties as also the recovery which is from the husk and not from his conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court No.1, Purnea in connection with Dagarua P.S. Case No.45 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

anand/-

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