

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33886 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- RAJEPUR District- East Champaran

Abhinandan Chaudhary @ Abhinandan Kumar S/o RAjendra Chaudhary R/o
Village- Salempur, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Rajepur P.S. Case No. 42 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act, 2022 (Amendment) lodged on 11.03.2025 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the Police raided the place, the accused managed to escape, locals gave the name, petitioner included, there is/are recovery of 92.76 litre foreign liquor from the *Gumti*. This led to the FIR.

4. Learned Counsel for the petitioner submits that *Gumti* does not belong to him, he has no role to play in the



matter nor has any criminal antecedent, is pursuing studies, the Police has implicated him.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the locals have named him.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, recovery is not from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each 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 Rajepur P.S. Case No. 42 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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