

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54716 of 2025

Arising Out of PS. Case No.-150 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Somaru Choudhary @ Bhagwat Singh, S/O Sri Lal Mohar Choudhary R/O
Village- Wajir Ganj, PS- Sasaram (M), Distt- Rohtas at Sasaram
... .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise Case No. 150 of 2018, instituted under Section 30(a)
of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 210 litre country made
liquor was seized from the field of the petitioner, kept in the
bunker.

4. Learned counsel for the petitioner submits that
petitioner is not involved in the occurrence. He is innocent and has
falsely been implicated in this case due to three criminal
antecedents which are of the year 2018. This case was also
registered in the year 2018. Petitioner has no criminal antecedent
after the year 2018. It is further submitted that the alleged recovery
of liquor has been made from an open field, it was not within the



conscious possession of the petitioner. There is no compliance of statutory provision of preparation of seizure-list. Petitioner undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.-1, Rohtas at Sasaram in connection with Excise Case No. 150 of 2018, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023 along with following conditions:-

- (I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.
- (II) Petitioner shall co-operate in the investigation and trial and shall be properly represented on each and every date fixed by the Court.

(Sunil Dutta Mishra, J.)

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