

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35308 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- BHAGWAN BAZAR District- Saran

1. Vijay Chaudhary S/O Bala Chaudhary R/O Mohalla Navi Ganj, Bintoli, P.s.- Bhagwan Bazar, Dist.- Saran.
2. Sanjay Chaudhary S/O Bala Chaudhary R/O Mohalla Navi Ganj, Bintoli, P.s.- Bhagwan Bazar, Dist.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Bhagwan Bazar P.S. Case No. 80/2025 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 160 liters illicit liquor from the village- Naviganj. Local people disclosed the name of the petitioners who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as



alleged in the FIR. Except disclosure of local people, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Petitioner no.1 bears one criminal antecedent and he orally submits that he is on bail. Petitioner no.2 bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioners. He orally submits that place of recovery is open place which is accessible to all and the petitioners cannot be held liable for the alleged recovery. He orally submits that the petitioners are not in any way connected with the alleged occurrence. He further submits that in the light of the aforesaid submissions, no case is made out against the petitioners under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the



like amount each to the satisfaction of the learned Special Judge, Excise-1st, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 80/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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