

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38046 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- GORADIH District- Bhagalpur

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1. Juli Devi W/o Bablu Choudhary R/o Village- Sonhauri, P.S.- Bypass, District- Bhagalpur
 2. Rahul Kumar @ Rahul Choudhary S/o Sri Bablu Choudhary R/o Village- Sonhauri, P.S.- Bypass, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehends arrest in a case registered for the offence punishable under and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 8.250 liters foreign liquor was recovered from the seized motorcycle of which petitioner no. 1 is registered owner. Petitioner no. 2 is son of petitioner no. 1.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners. Petitioners have been made accused in this case only on suspicion. Petitioners claim clean antecedent.



5. Learned A.P.P. for the State opposes the prayer for bail and submits that petitioner no. 1 is registered owner of the seized motorcycle from which illicit liquor has been recovered.

6. Considering the fact that petitioner no. 1 is registered owner of the seized motorcycle from which illicit liquor has been recovered, prayer for anticipatory bail of the petitioner no. 1 is refused.

7. However, considering the nature of accusation and clean antecedent, the anticipatory bail is allowed with regard to petitioner no. 2. and it is ordered that let the above named petitioner no. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XII-cum-Special Excise Judge-2, Bhagalpur in connection with Goradih P. S. Case No. 46 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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