

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44220 of 2025

Arising Out of PS. Case No.-2553 Year-2024 Thana- Excise P.S. District- Patna

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Amarjeet Chaudhary S/O Late Lalbabu Chaudhary R/O Village-Dumari
Chaudhary Tola, Ward no. 11, PS-Fathua, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2 , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State .

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30 (a) , 41 , 44 and 56 (b) of the Bihar Prohibition and Excise Act.

3 . Earlier, the prayer for grant of anticipatory bail to this petitioner was rejected vide order dated 13.05.2025 passed in Cr. Misc. No. 13023 of 2025 on the ground that 20 litres liquor was recovered from the go -down of this petitioner.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that it was wrongly mentioned that the alleged recovery was made from the go -down of this petitioner. As a matter of fact, from bare perusal of F.I.R. and seizure list, it is apparent that 20 liter illicit liquor was recovery from an orchard near the house of this petitioner, which is an open place and the same is accessible to one and all. No incriminating materials has been recovered from conscious possession of this petitioner. Petitioner claims clean antecedents.

5 . Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the inadvertent mistake in the case, the fact that recovery has been made from orchard, an open place, which is accessible to one and all and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 special Judge Excise III Patna district- Patna in connection with Patna Excise P.S. Case



No. 2553 of 2024 , subject to condition as laid down under
Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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