

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42309 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- DAUDPUR District- Saran

Rahul Kumar Chaudhary Son of Babloo Chaudhary Resident of village -
Nautan Bazar, P.S.- Ekma, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Daudpur P.S. Case No. 34 of 2025 registered on
09.02.2025 for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, a total recovery of 50 liters
of country-made liquor from a scooty is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is
submitted that the petitioner's name has surfaced only on the
basis of the confessional statement of a co-accused, and there is
no other evidence linking the petitioner to the alleged offence. It
is further submitted that the petitioner is neither the owner of the



scooty from which the recovery was made nor has any concern with the recovered liquor. However, it is admitted that the petitioner does not have a clean antecedent, as he is accused in three other criminal cases.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner is involved in three other criminal cases, out of which two have been registered under the Excise Act. This, according to the prosecution, indicates that the petitioner is actively engaged in the trade of illicit liquor.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Daudpur P.S. Case No. 34 of 2025, pending before the learned Special Judge, Excise, 1st Saran at Chapra is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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