

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58171 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- CHANDI District- Bhojpur

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1. Vishal Choudhary @ Vikash Kumar @ Vishal Kumar Son of Raj Kumar Choudhary Resident of Bahiyara Karja Farhangpur P.S- Chandi, Dist- Bhojpur
 2. Bandhu Choudhary son of Late Raj Kumar Choudhary Resident of Bahiyara Karja Farhangpur P.S- Chandi, Dist- Bhojpur
 3. Sanjay Choudhary @ Sanjay Kumar Son of Sudeshwar Choudhary Resident of Bahiyara Karja Farhangpur P.S- Chandi, Dist- Bhojpur
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chandi P.S. Case No. 77 of 2025 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 100 liter country made liquor from two bags kept under the sand near Sonebandh. It is alleged that the petitioners fled away throwing the bags from the spot after seeing the police.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. The recovery has been made from the open place which is accessible to the public at large. The petitioners were not present on the spot and



no incriminating article has been recovered from their conscious or constructive possession and only on supicion with ulterior motive, they have been made accused in this case. The petitioner no.1 has no criminal antecedent, petitioner no.2 has two criminal antecedents not of similar nature and petitioner no.3 has one criminal antecedent of similar nature of the offence. The petitioners undertake to cooperate in the investigation and trial.

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

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Bhojpur at Ara in connection with Chandi P.S. Case No. 77 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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