

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57416 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- BARUN District- Aurangabad

Janaki Choudhary @ Janki Chaudhari Son of Mahesh Choudhary Resident of
village - Mohan Ganj, Near Durga Club, P.S.- Barun, District - Aurangabad,
Bihar Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with
Barun P.S. Case No. 295 of 2025 instituted for the offences
under Sections 30(a), 33 and 36 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 1560 litres
of spirit and along with 36 litres of liquor was recovered from
Pick-up vehicle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case as being owner of
the vehicle in question. Charge-sheet has been submitted in this
case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner, therefore,



contends that prima-facie no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Similarly situated other co-accused person has been granted anticipatory bail by a Co-ordinate Bench vide order dated 12.08.2025 passed in Cr. Misc. No. 52294 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barun P.S. Case No. 295 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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