

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62376 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- BAIRIYA District- West Champaran

1. Birgun Chaudhary S/o Pheku Chaudhary R/o Village- Bagahi Nimiya Tola, PS- Bairiya, Dist- Bettiah
2. Vikash Chaudhary S/o Chandrika Chaudhary R/o Village- Bagahi Nimiya Tola, PS- Bairiya, Dist- Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-09-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Bairiya Police Station Case No. 272 of 2025, dated 05.07.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution story, as per the First Information Report, is that the police, on 05.07.2025, after receiving secret information that the petitioners along with co-accused Santosh Yadav carrying illicit liquor on motorcycle from Shivrajpur to deliver it to co-accused Chandrasekhar Singh @ C.D. Singh, The police reached at the place of



occurrence and saw a Hero Splendor motorcycle, bearing registration no. BR22AK6913, on which three persons were riding, and upon seeing the police, two of them fled away while one was apprehended, who disclosed the name of Santosh Kumar, who upon enquiry disclosed the names of the petitioners. Upon search, a total of 7.380 liters of illicit liquor was also recovered from the said motorcycle.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to oblique motive and on the basis of confessional statement of co-accused Santosh Kumar. He next submits that the petitioners were not present at the place of occurrence and the said vehicle belongs to the arrested co-accused person. He further submits that the vehicle, in question, does not belong to the petitioners and illicit liquor has not been recovered from the conscious possession of the petitioners and/or vehicle belonging to them.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the fact that the petitioners are not the owner of the



motorcycle, from where illicit liquor has been recovered,
I am inclined to grant the petitioners privilege of
anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their
arrest or surrender before the Court below within four
weeks, be released 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 Exclusive
Special Judge 1st, Bettiah, West Champaran, in connection
with Bairiya Police Station Case No. 272 of 2025, subject
to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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