

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61763 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- JOGSAR District- Bhagalpur

Ravi Kumar Choudhary Son of Bhola Choudhary Resident of Mohalla - Kali Thakur Lane, Deepnagar Chowk, Police Station - Jagdishpur, District - Bhagalpur-812001.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Hason

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jogsar P.S. Case No. 159/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 10 liters country made liquor from the Ranger Bicycle. Apprehended co-accused Birbal Kumar disclosed that the illicit liquor was delivered in response to a request made through mobile no. 911345012.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR. The petitioner is the owner of the mobile no. 911345012. He further submits that seizure list appears to be a forged and fabricated document as the same has been prepared on 30.06.2025 at 09:10 hrs and bears FIR number as to when formal FIR has been drawn on 30.06.2025 at 11:00 hrs, it violates the mandatory provision of Section 103 of the B.N.S. The petitioner bears two criminal antecedents in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has no concern with the said Ranger Bicycle. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender



before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-12-cum-Special Excise Judge-2, Bhagalpur in connection with Jogsar P.S. Case No. 159/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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