

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62205 of 2025**

Arising Out of PS. Case No.-10 Year-2025 Thana- GHATHO District-
Samastipur

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Shankar Chaudhary @ Ram Shankar Chaudhary S/o- Late Ramprit
Chaudhary R/o Village- Dadpur, P.S.- Bhagwanpur , District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aprajita Singh, Adv.
Mr. Prasoon Kumar, Adv.
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail
arises out of Ghatho P.S. Case No. 10 of 2025 dated
16.02.2025, disclosing offence under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016 (hereinafter referred
to as 'the Act').

3. According to the prosecution case, 8.25 liters of
illicit liquor has been recovered from the motorcycle of
which the petitioner is said to be the owner.

4. Learned counsel for the petitioner submits that
the petitioner is having clean antecedent and has not



committed any offence. He further submits that admittedly the petitioner was the registered owner of the motorcycle in question but, as a matter of fact, the petitioner has already sold the motorcycle in question prior to the present occurrence to one Raj Kumar Mahto, who happens to be father of co-accused Basant Kumar, which would be evident from Annexure-2. He further submits that though, according the seizure list, 8.25 liters of illicit country made liquor has been recovered from the motorcycle in question but the petitioner has no concern with the alleged recovery and motorcycle in question. He further submits that the petitioner mere being the registered owner of the motorcycle, which was sold by him prior to the present occurrence, he is being dragged in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has got two mores case other than the present one out of which one is of similar nature.

6. Regard being had to the submission made by the parties and taking into consideration the fact that the



motorcycle in question has already been sold by the petitioner prior to the present occurrence to the father of the co-accused, Basant Kumar and also nothing has been recovered from conscious possession of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his 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 the learned Special Judge, Excise-1, Samastipur in connection with Ghatho P.S. Case No. 10 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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