

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65678 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- JAKKANPUR District- Patna

Sanjay Chaudhary Son of Gita Chaudhari R/o Village - Jaiprakash Nagar
Kadam gali, renter near House of Lal Babu Chaudhari, P.S. - Jakkanpur, Dist.
- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Ms.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jakkanpur P.S. Case No. 33 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, on the basis of secret information, 56.79 litre foreign liquor was recovered from ruined house and apprehended co-accused Ranjeet Kumar @ Rakesh Kumar and Kamlesh Kumar disclose the name of petitioner, who is involved in trade of illicit liquor.

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



in the FIR. Petitioner bears criminal antecedent of two cases in which he is on bail and just because criminal antecedent of the petitioner, he has been falsely implicated in this case. He further submits that source of information has not been disclosed in the FIR. Except disclosure of apprehended co-accused persons, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern either with the seized liquor or place of recovery. Place of recovery is an open place and hence, petitioner cannot be held responsible for the alleged recovery. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes 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 Exclusive Special Excise Court-II, Patna in connection with Jakkanpur P.S. Case No. 33 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

