

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66447 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- Bikramganj Excise District- Rohtas

1. Ajit Kumar Choudhary @ Ajit Choudhary Son of Late Hira Choudhary, R/o Village - Amiawar, P.S. - Nasriganj, Dist. - Rohtas.
2. Munna Choudhary Son of Shankar Choudhary, R/o Village - Amiawar, P.S. - Nasriganj, Dist. - Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Excise Case No. 397 of 2025, arising out of Bikramganj Excise P.S. Case No. 138 of 2025, dated 10.06.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 50 litres of illicit country made liquor was recovered from plastic sacks kept in a pit near the bank of Sone river.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the



present case. Nothing has been recovered from the conscious possession of the petitioners and petitioners have no concern with the alleged recovery. He next submits that petitioner no. 1 carries two criminal antecedents of similar nature while petitioner no. 2 claims clean antecedent. He lastly submits that police has falsely implicated petitioner no. 1 in the cases of similar nature on earlier occasion in which petitioner has been granted bail.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioners and recovery has been made from an open place which is accessible to one and all, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Court No. I, Rohtas at Sasaram, in connection with **Bikramganj Excise P.S. Case**



No. 138 of 2025, subject to the conditions laid down under
Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

Shahnawaz/-

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