

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73036 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- RASULPUR District- Saran

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Bholu Chaudhary @ Munna Kumar Pasi S/O Shree Bhagwan Chaudhari @
Shree Bhagwan Pasi Resident of Village - Bagaura, P.S. - Daraunda, District -
Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, on 02.08.2025, while patrolling at Rasulpur Bazar around 5:15 p.m., the police received information about two men transporting illicit liquor on a motorcycle to Village Atarsan. When intercepted, one person, Appu Thakur, was caught, while the other, identified as Bholu Chaudhary, escaped. A sack found with them contained 40 liters of country-made liquor, which was seized in the presence of police constables, leading to the registration of this case.



4. Learned counsel for the petitioner submits that the seized articles was recovered from the possession of co-accused Appu Thakur while this petitioner is said to have fled away from the motorcycle on which the co-accused is said to have been sitting as a pillion rider. Learned counsel for the petitioner, however, submits that the articles which has been recovered does not belong to the petitioner and the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 02nd Exclusive Special Excise Judge, Saran at Chapra, in



connection with Rasulpur P.S. Case No. 140 of 2025 subject to
the condition as laid down under Section 482(2) of the B.N.S.S.,
2023.

(Ajit Kumar, J)

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