

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71029 of 2025

Arising Out of PS. Case No.-346 Year-2025 Thana- Excise P.S. District- Nawada

-
1. Deepu Chaudhary S/o Sunil Chaudhary @ Arjun Chaudhary R/O Vill.- Sandalpur, P.S.- Nardiganj, Dist.- Nawada (Bihar)
 2. Mantu Chaudhary S/o Sunil Chaudhary R/O Vill.- Sandalpur, P.S.- Nardiganj, Dist.- Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-10-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Excise Police Station Case No. 346 of 2025, dated 28.05.2025, disclosing offence punishable under Sections 30 (a)/30 (c) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that some persons are indulged in the manufacturing and sale of illicit liquor near the pond, raided the place of occurrence and on search, recovered 30 litres of illicit country-made liquor



kept in plastic gallons under the earth. On enquiry, the local persons disclosed before the police that the petitioner and others used to manufacture illicit country-made liquor by the side of the pond and when the police reached there, they fled away.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on the disclosure of their names by the local persons. He further submits that the petitioners have got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from under the earth kept by the side of the pond, which is an open space and is accessible to all and sundry. He further submits that the petitioner no. 2 has got no criminal antecedent; whereas the petitioner no. 1 has one criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the names of the petitioners transpired in this case on the disclosure made by the local persons and the illicit liquor has been recovered kept by the side of the pond, which is an open space, I am inclined to grant the petitioners privilege of anticipatory bail.



- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Nawada, in connection with Excise Police Station Case No. 346 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

