

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71665 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- KUTUMBA District- Aurangabad

Ranjeet Chaudhary Son of Shankar Chaudhary R/o Village - Meghraj Bigha,
P.S. - Muffasil, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-10-2025 Learned counsel for the petitioner is permitted to make necessary correction in para 7 and 10 of the instant petition filed on behalf of the petitioner, during the course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner is apprehending his arrest in connection with G.R. No. 190 of 2025 arising out of Kutumba P.S. Case No. 54 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

4. As per prosecution case, 65.160 litre illicit liquor was recovered from auto in question. Co-accused Ravi Paswan (driver) and Ashik Kumar were apprehended on the spot.



5. Learned counsel for the petitioner submits that petitioner is not named in FIR. During the course of investigation, the name of the petitioner has been transpired in this case as the owner of the said auto in question. He further submits that petitioner has given the said auto to Ravi Paswan and he has misused the same. Petitioner has no knowledge that the said auto is being used for carrying illicit liquor. Petitioner was not found at the place of occurrence. Seizure list has not been made as per law. No incriminating article has been recovered from the possession of the petitioner. Petitioner is innocent and has committed no offence as alleged in the FIR. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears criminal antecedent of one case in which he is on bail. He further submits that just because of having criminal antecedent of one case, petitioner has falsely been implicated in the present case without any basis.

6. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that during the course of investigation, the name of the petitioner has been transpired in this as the owner of the said auto in question from



which 65.160 litre illicit liquor was recovered and hence, petitioner cannot escape from the allegation made in FIR.

7. 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 Special Judge of Excise – I, Aurangabad in connection with G.R. No. 190 of 2025 arising out of Kutumba P.S. Case No. 54 of 2025, subject to the conditions as laid down under Section Section 482 (2)of BNSS.

8. The application stands allowed.

(Alok Kumar Pandey, J)

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