

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72963 of 2025

Arising Out of PS. Case No.-442 Year-2025 Thana- HARSIDHI District- East Champaran

Raj Kumar Chaudhary @ Raj Kumar @ Raja Chaudhary Son of Jagarnath Chaudhary @ Jagarnath Resident of Village - Khoripakar P.S.- Harshidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and
learned APP for the State.

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

3. The prosecution case, in short, is that during patrolling, the informant received secret information that the petitioner and other co-accused persons had stored illicit liquor on his roof. On reaching the spot, the petitioner fled from the house, and on search, 10 litres of country made liquor were recovered from the roof.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in the instant case only on the basis of



suspicion. There is no recovery from the conscious possession of the petitioner, and the petitioner has no concern with the seized liquor. It is further submitted that the recovery has been made from the roof of the petitioner's house; however, the said house is jointly owned by his *patidar*, and someone has thrown the said liquor onto his roof on account of a dispute. It is lastly submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for grant of anticipatory bail.

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 of the petitioner, 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 Exclusive Special Excise Court No.1, East Champaran at Motihari, in connection with



Harsidhi P.S. Case No.442 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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