

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84527 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- NIMACHANDPURA District- Begusarai

1. Bishundev Choudhary @ Visundev Choudhary @ Vishnudev Choudhary S/o- Late Rameshwar Chaudhary Village- Ajhaur W.No-10, Ps-Nimachandpura Dist- Begusarai
2. Vijay Choudhary @ Vijay Kumar Choudhary S/o- Sri Bishundev Choudhary @ Visundev Choudhary @ Vishnudev Choudhary Village- Ajhaur W.No-10, Ps-Nimachandpura Dist- Begusarai
3. Ajay Choudhary @ Ajay Kumar Choudhary S/o- Sri Bishundev Choudhary @ Visundev Choudhary @ Vishnudev Choudhary Village- Ajhaur W.No-10, Ps-Nimachandpura Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Muni Sharma, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Nimachandpura P.S. Case No. 93 of 2024, dated 05.11.2024, lodged under Sections 30(a), 30(b) and 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 35 litres of illicit liquor has been made, which is the subject matter of the present case.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that, from the seizure list, it is evident that the alleged recovery was not made from the possession of the petitioners, rather, it was made from a strange place and outside the premises of the petitioners' house. Counsel also submits that the names of the petitioners have figured in this case solely on the basis of information disclosed by the *chowkidar*. Furthermore, it is submitted that, except for petitioner No. 1, all the petitioners have clean criminal antecedents. Although there is one criminal case pending against petitioner No. 1, it is not under the Excise Act but pertains to an offence under the Indian Penal Code.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge Excise Court-II,



Begusarai, in connection with Nimachandpura P.S. Case No.
93 of 2024, subject to the conditions as laid down U/s 482(2)
of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

