

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88424 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- Excise Dhamdaha District- Purnia

Santosh Choudhary S/o Late Shiv Nandan Choudhary Resident of - Rajhat,
Ward no. 17, P.S - Banmankhi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Dhamdaha Excise P.S. Case No. 149 of 2025, CIS No. 297 of 2025, dated 15.10.2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per prosecution case, the police has recovered total 18 liters of illicit foreign liquor from the tin-lined toilet situated in the premise of the Ward Councilor's private office Rajhat, Ward No. 17.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case. It is next submitted that the recovery is said to have



been made from the public toilet which is situated behind the office and was being used by the wife of the petitioner, who is a ward member and, for ulterior reasons, the petitioner has been implicated in the instant case. The petitioner has one antecedent which is not akin to the present case in which he is on bail. There has been no recovery from the constructive possession of the petitioner. It is further submitted that the petitioner has no concern with the seized liquor.

5. Learned APP for the State opposed the prayer for 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 constructive 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 Judge, Excise Court No.2, Purnia in connection with Dhamdaha Excise P.S. Case No. 149 of 2025,



CIS No. 297 of 2025, subject to the condition as laid down
under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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