

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88681 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- LALGANJ District- Vaishali

Rahul Chaudhary @ Rahul Kumar S/o- Baidyanath Chaudhary Village-
Thikahan Matiya Ps and Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 20-06-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Lalganj P.S. Case no.214 of 2024 registered under Sections
30(a) and 32(2) and 41(1) of the Bihar Prohibition and Excise
Act, 2016.

3. As per the prosecution case, on seeing the police
party, the accused managed to escape. On search, 3013.20 liters
of illicit foreign liquor was recovered from the seized truck
bearing Registration No. UP56AT3905.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. All the
allegations levelled in the F.I.R are totally false and concocted.
He is neither the owner nor the driver of the seized truck. The



name of the petitioner has transpired in this case merely on the basis of secret information. He further submits that there is violation of mandatory provisions of search and seizure as there was no independent witness to the seizure list. He further submits that similarly situated co-accused have been granted anticipatory bail vide order dated 28.04.2025 passed in Cr. Misc. No. 82564 of 2024. The petitioner undertakes to co-operate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. At this stage, the petitioner is agreed to deposit a sum of Rs. 50,000/- in Mahavir Cancer Sansthan, Patna, bearing Account No. 3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

7. In view of the aforesaid facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Lalganj P.S. Case no.214 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1-cum-Additional District



& Sessions Judge, Vaishali at Hajipur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the submission of the charge-sheet.

(III) The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

Harsh/-

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