

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86492 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- SIKARHATTA District- Bhojpur

Saroj Chaudhary @ Manu @ Sanoj Kumar @ Manu Kumar @ Saroj Kumar
Chaudhary Son of Siyaram Chaudhary Resident of Village - Fatehpur, P.S. -
Sikarhata, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sikrahatta P.S. Case No. 138 of 2025, F.I.R dated 26.09.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 26.09.2025, while on patrolling duty, the informant A.S.I. allegedly received information that illegal liquor was being transported in a tempo from Sonbarsa. After informing the senior officer, the police chased the tempo near Kurmurhi Canal, apprehended the driver, Monu Kumar Singh, while another person allegedly fled. Upon



search of the tempo, 60 litres of country-made Mahua liquor was allegedly recovered, a seizure list was prepared, and the present case was instituted.

4. Learned counsel for the petitioner submits that the recovery is said to have been made from Mahindra Tempo bearing Registration No. BR03P-7931, which is no way connected with this petitioner, and the petitioner has clean antecedent and he is a man of means. The name of the petitioner has transpired on the basis of statement made by the driver, namely, *Monu Kumar Singh*.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 and / or premises belonging to the petitioner and considering the aforesaid fact that the recovery is made from Mahindra Tempo and he is in no way connected with this 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 2nd, Bhojpur at Ara in connection with Sikarahatta P.S. Case No. 138 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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