

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.172 of 2025

Arising Out of PS. Case No.-1556 Year-2024 Thana- PHULWARISHARIF District- Patna

Mahesh Kumar Choudhary @ Mahesh Choudhary S/O Mahendra Choudhary
R/O Badalpura, DeviAsthana, P.S- Khagaul, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Maharaj, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 04-02-2025 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 30(a), 45 of the Bihar Prohibition and Excise Act.
3. As per prosecution case, 180 ml illicit liquor and two motorcycles have been recovered from the spot. Petitioner is owner of one of the seized motorcycles.
4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner or from the seized vehicle of petitioner. Petitioner has been made accused merely because he happens to be owner of the seized motorcycle. Petitioner claims clean antecedent.
5. Learned A.P.P. for the State vehemently opposed



the bail application.

6. Considering the nature of accusation, quantity of recovery and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Excise Judge 1st Patna in connection with Special Case No. 1429/24 arising out of Phulwari Sharif P. S. Case No. 1556 of 2024, subject to condition as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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