

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87763 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- NALANDA District- Nalanda

Rajvir Kumar @ Chotu Son of Late Mahendra Choudhary R/o - Jafuar Bazar
Nirpur, P.S. - Nalanda, Dist. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nalanda P.S. Case No.187 of 2025, F.I.R dated 31.10.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 31.10.2025, ASI Pramod Kumar of Nalanda Police Station was on patrolling duty during the Legislative Assembly period. Around 2:30 PM, at Jafuar Bazar, the police saw two persons carrying plastic bags who tried to run away on seeing the police. After a chase, one person was caught and identified as Pintu Choudhary, while the other person escaped after throwing his bag and was named as



Rajvir. From Pintu Choudhary's bag, 4 litres of country-made liquor was recovered. From the bag thrown on the road, 1.125 litres of whisky was recovered. No independent witnesses agreed to participate, so the search and seizure were conducted in the presence of two police witnesses. Based on the written report, a formal case was registered.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired on the confessional statement of one Pintu Choudhary while this petitioner is in no way connected with the seized articles. The petitioner was neither present at the place of occurrence nor was anything recovered from his possession and the petitioner has clean antecedent and is ready to abide by the terms and conditions, in case privilege of anticipatory bail is extended to him.

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 the petitioner has clean antecedent, 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 Special Judge, Excise 2nd, Biharsharif, Nalanda, in connection with Nalanda P.S. Case No.187 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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