

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8873 of 2026

Arising Out of PS. Case No.-615 Year-2025 Thana- BAIRIYA District- West Champaran

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SURAJ CHAUDHARY S/O LATE ASTHJAM CHAUDHARY R/O Village -
Suriya Ward No. 10, Police Station - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 615 of 2025, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution-case, 60 litre country-made illicit liquor was recovered from the motorcycle in question and the apprehended co-accused Nikhil Kumar and Sonu disclosed the name of the petitioner who is said to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. He further submits that petitioner is not the



owner of the vehicle in question. Neither petitioner was present at the alleged place of occurrence nor any incriminating article has been recovered from the conscious possession of the petitioner. Except disclosure of the apprehended co-accused, there is nothing on record to connect the petitioner with the alleged occurrence. Apart from that, petitioner is having clean antecedent. In the light of the facts and circumstances of the case, no offence is made out against the petitioner as petitioner is having no connection with the alleged occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that petitioner is named in the F.I.R. and he cannot escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, petitioner is not the owner of the motorcycle in question and he was not present at the alleged place of occurrence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail-bond of



Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-cum-Excise Court-1, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 615 of 2025, subject to the conditions as laid down under Section 482 of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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