

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8793 of 2026

Arising Out of PS. Case No.-533 Year-2025 Thana- AKBARPUR District- Nawada

Bablu Chaudhary S/o Manoj Chaudhary @ Manoj Kumar Chaudhari Resident
of Village- Pachrukhi, P.S.- Akbarpur, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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 Akbarpur P.S. Case No. 533 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016/ Amendment Act, 2022.

3. As per prosecution case, 50 litre country made mahua liquor was recovered in front of the house of the petitioner and local chaukidar disclosed the name of the petitioner who succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He



further submits that the place of recovery is an open place which is accessible to all and petitioner cannot be held liable for the alleged recovery. Petitioner was not found at the place of occurrence. He further submits that petitioner bears criminal antecedent of the three cases in which he is on bail. He further submits that just because of having criminal antecedent, petitioner has falsely been implicated in the present case. Seizure list has not been made as per law. No incriminating article has been recovered from the possession of the petitioner. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that petitioner is FIR named accused and he cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, 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 Exclusive Special Court, Excise – I, Nawada in connection with Akbarpur P.S. Case No. 533 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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