

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9763 of 2026

Arising Out of PS. Case No.-341 Year-2025 Thana- DORIGANJ District- Saran

Vikash chaudhary @ Vikash Son of Late Naresh Chaudhary @ Late Naresh Chaudhari Resident Of Village- Bhairapur Nizamat Police Station- Doriganj District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Doriganj P.S. Case No. 341/2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres of liquor was recovered out of which 85 litres liquor was recovered from bush adjacent to the house of the co-accused. It is alleged that 30 litres of country made liquor was recovered from Gali (Lane), which belongs to the petitioner and one Niraj Choudhary.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of



statement made by local people. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has four criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that other co-accused has been granted anticipatory bail by this Bench vide order dated 09.02.2026 passed in Cr. Misc. No. 83521 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, and taking into account the criminal antecedent of the petitioner of similar nature, in my view, this is not a fit case for anticipatory bail.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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