

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11803 of 2026

Arising Out of PS. Case No.-1255 Year-2025 Thana- GAYA MUFASIL District- Gaya

1. Baithu Chaudhary Son of Late Ramphal Chaudhary Resident of Village-Bhadeji, P.S.- Mofassil, District- Gayaji
2. Pradeep Chkaudhary Son of Late Ramphal Chaudhary Resident of Village-Bhadeji, P.S.- Mofassil, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 1255 of 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 75 litres of liquor was recovered from plastic drum.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. The name of the petitioners transpired in this case on the basis of disclosure made by local Chowkidar. The petitioners have



got no concern with the alleged recovery of liquor. The petitioner No.1 has three criminal antecedents, whereas petitioner No.2 has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioners, therefore, contends that *prima-facie* no case is made out against the petitioners.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner No.2 namely Pradeep Chaudhary in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 1255 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

7. So far petitioner No.1 Baithu Chaudhary is concerned, considering the aforesaid facts and circumstances of the case as also criminal antecedent of the petitioner No.1, as mentioned in



para-3 of the application, in my view, this is not a fit case for grant of anticipatory bail.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner No.1 Baithu Chaudhary is, hereby, rejected.

(Rudra Prakash Mishra, J)

manish/-

U		T	
---	--	---	--

