

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27739 of 2026

Arising Out of PS. Case No.-92 Year-2025 Thana- TIKAPATTI District- Purnia

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Rajesh Kumar Chaudhari S/o Kailash Chaudhary Resident of Mohanpur, P.S.-
Mohanpur, District- Purnea Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 06-05-2026 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Tikapatti P.S. Case No.92 of 2025, F.I.R dated 23.06.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the police recovered 12.50 litres of country-made liquor from a sack kept on a motorcycle.

4. Learned counsel for the petitioner submits that the recovery of the country-made liquor was made from a motorcycle, and the petitioner has no concern either with the said vehicle or the illicit liquor. It is further submitted that the petitioner had sold the said vehicle to one Binod Kumar Sah on 28.01.2022. It is also contended that there is no independent witness to the seizure list, and the procedure prescribed under Section 103 of the B.N.S.S. has not been followed. It has lastly been submitted that the petitioner has a clean antecedent and is



ready to abide by the terms and conditions in case the privilege of anticipatory bail is extended in his favour.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submissions made by the parties, and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession of the petitioner or from a vehicle owned by him, and further that the petitioner has a clean antecedent, 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 Exclusive Special Judge, Excise, Court No.2, Purnea, in connection with Tikapatti P.S. Case No.92 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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