

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29229 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- KHIRHAR District- Madhubani

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Gaurav Kumar @ Gaurav Chaudhary @ Gaurav Kumar Chaudhary @ Nanhe
kumar Son of Narayan Chaudhary R/o village - Khirhar , p.s. - Khirhar ,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Khirhar P.S. Case No. 27 of 2026, dated 24.02.2026,
lodged under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022, pending before the Court of Exclusive
Special Judge Excise, Madhubani.

3. As per the prosecution, total recovery of 18 litres of
illicit liquor has been made, which is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that nothing has been recovered from the possession of



the petitioner. He also submits that the petitioner is neither the owner nor the driver of the said alleged vehicle. Furthermore, he submits that the criminal antecedent of the petitioner is not clean, as one criminal case is pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. A liberty is hereby granted to the petitioner that if the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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