

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29291 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- MORO District- Darbhanga

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RATNESH KUMAR @ GULSHAN KUMAR @ RATNESH CHOUDHARY
@ GULSHAN S/o Late Dinesh Choudhary Resident of Village- Patori, Ward
No. 09, Police Station- Moro, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-05-2026 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Moro Police Station Case No. 26 of 2026, dated 04.03.2026, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in brief, is that on secret information that the petitioner is selling illicit liquor, the police conducted a raid. On seeing police party one person succeeded in fleeing away. Upon search, 7.875 litres of illicit foreign liquor was recovered from a nearby dilapidated house being used for storing and selling liquor.



4. Learned counsel for the petitioner submits that he has falsely been implicated in the present case due to oblique motive and his name has transpired on the basis of secret information. He next submits that illicit liquor has not been recovered from conscious possession of the petitioner and/or from the premises belonging to him. Rather, illicit liquor has been recovered from a dilapidated house beside petitioner's house, which is an open space accessible to all and sundry.
5. Regards being had to the submission made by the parties and taking into consideration the fact that illicit liquor has not been recovered from conscious possession of the petitioner, rather, the same has been recovered from open space accessible to all and sundry, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge II (Excise Act), Darbhanga, in connection with Moro



Police Station Case No. 26 of 2026, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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