

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33970 of 2026

Arising Out of PS. Case No.-539 Year-2015 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

Mahesh Chaudhary S/o - Chando Chaudhary R/o vill - Fulwaria, P.S.- Rajauli,
Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State through

virtual mode.

2. The petitioner is apprehending his arrest in
connection with G.O. Case No. 539 of 2025 registered under
Sections 47(a) and (f) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, altogether 20 liters of
illicit wine along with 200 kg of mahua has been recovered
which has been kept in a plastic bag.

4. Learned counsel for the petitioner submits that
petitioner is innocent, has committed no offence and has falsely
been implicated in the present case. It is submitted that the



petitioner has no concern either with the seized article or with the place of recovery. Petitioner has been implicated in this case merely on the basis of his antecedent. It is the case of the petitioner that there is no source of identification or any disclosure made by any person save and except the secret information. Nothing incriminating is said to have recovered from the constructive possession of this petitioner.

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

6. Considering the aforesaid facts and circumstances and that neither the place of recovery nor the seized article is connected to this petitioner, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Nawada in connection with G.O. Case No. 539 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik



Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

Abhishek/-

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

