

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33797 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Sanjeev Chaudhary @ Ssanjeev Kumar @ Sanjeev Kumar @ Sanjeev
Chaudhary S/O Arun Chaudhary R/O Vill.- Hardiya, P.S.- Mufassil, Dist.-
Begusarai.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Mufassil PS Case No. 27 of 2026 registered on 17.04.2022
for the offence punishable under Sections 30(a) of Bihar
Prohibition and Excise Act, 2022.

3. As per prosecution case, 30 litres of illegal country-
made liquor were recovered from a ditch which is allegedly
situated adjacent to the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case only on the
basis of the statement made by the Choukidar. It is further
submitted that the recovery has been made from a ditch, which
is nearer to the house of the accused person, i.e., petitioner
while the he is in no way connected to the seized liquor. It is the



case of the petitioner that the place of recovery is also not connected with this petitioner rather it is a ditch which is easily accessible to all. Learned counsel lastly submitted that there is only one criminal antecedent, in which he is on bail.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail of the petitioner submitting that the petitioner seems to be a habitual offender as he has got one antecedent of similar nature.

6. Considering the submission of the parties and the fact that the alleged recovery has not been made from the constructive possession of the petitioner rather it has been recovered from a ditch which is accessible to all, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned ***Exclusive Special Excise Judge-1, Begusarai*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the 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)

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