

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34715 of 2026

Arising Out of PS. Case No.-233 Year-2025 Thana- DEV District- Aurangabad

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Raja Chaudhary S/o Mohan Choudhary R/o Village- Ketaki, P.O.- Ketaki,
P.S.- Deo, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 The matter has been taken up today through video conferencing.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The Petitioner is apprehending his arrest in connection with Deo P.S. Case No. 233/2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

4. As per the prosecution case, total 122 liters of illicit country made mahua liquor was recovered from a jute bag which was kept on a motorcycle.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of being the purchaser of the seized



motorcycle. It has further been submitted that the motorcycle in question continues to remain in possession of its original owner, namely, Gori Devi and till date the same has not been transferred in favour of the petitioner. It has next been submitted that no incriminating article has been recovered from the possession of the petitioner. It has also been submitted that the procedure prescribed under Section 105 of the B.N.S.S. has not been followed. Lastly, it has been submitted that the petitioner has got two criminal antecedents and in both of them petitioner is on bail.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner has two criminal antecedents of similar nature of offence.

7. Heard the parties and perused the record.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Aurangabad, in connection with Deo P.S. Case No. 233/2025



subject to the conditions as laid down under Section 482(2) of
the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

9. This application stands allowed.

(Praveen Kumar, J)

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