

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36079 of 2026**

Arising Out of PS. Case No.-239 Year-2025 Thana- DORIGANJ District- Saran

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Ramu Chaudhary @ Raju Chaudhary Son of Late Jagadish Chaudhary
Resident of Village- Mahaddipur, P.S.- Doriganj, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through
virtual mode.

2. None appears on behalf of the petitioner, even after
repeated calls. However, learned A.P.P for the State is present.

3. The petitioner is apprehending arrest in connection
with Doriganj P.S. Case No. 239 of 2025 lodged on 29.06.2025,
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022, pending in the
Court of Additional Sessions Judge cum Exclusive Special
Excise court no.3, Saran at Chapra.

4. As per the prosecution, FIR has been lodged against



two named accused persons including the present petitioner. Total recovery of 9 litres of illicit liquor has been made, which is the subject matter of the present case.

5. It has been pleaded in the bail petition that the petitioner is innocent and has committed no offence and nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from a plastic bucket kept at the back of the petitioner's house. It has been stated in para 3 of the bail application that the petitioner has two criminal antecedents and in both the cases, he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has two criminal antecedents and both the cases are registered under Excise Act and this aspect must be taken into consideration.

7. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

8. However, if petitioner surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, 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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