

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42200 of 2026

Arising Out of PS. Case No.-133 Year-2026 Thana- KARAHGAR District- Rohtas

Raju Choudhary S/O Gauri Choudhary Resident of - Rampur Naresh, P.S-
Kargahar, Dist-Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dharmendra Kumar Singh, Advocate
For the Opposite Party : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Kargahar P.S.
Case No.133 of 2026 registered under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 2 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the name of petitioner arrayed solely on
the disclosure made by the local *chowkidar*. It is also



submitted that recovery of illicit liquor was made from an orchard which an open place easily accessible by general public. It is further argued that petitioner is neither connected in any manner with the seized liquor nor the petitioner was present at the place of occurrence. Petitioner has been implicated in the present case only on the basis of suspicion. It is submitted that recovery of lillict liquor was not made from conscious possession of this petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in seven more criminal cases of similar nature, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail 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 Court of Exclusive Special Judge Excise Court No. 1st Rohtas at Sasaram, in connection with Kargahar P.S. Case No.133 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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