

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40145 of 2026

Arising Out of PS. Case No.-267 Year-2023 Thana- RAJNAGAR District- Madhubani

Mohit Kumar Chaudhary S/O Bednath Chaudhary @ Vaidyanath Chaudhary
R/O Village-Jagatpur, P.S.- Rahika, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shabina Talat, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Rajnagar P.S. Case No. 267 of 2023 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of **27 litres** of illicit liquor from the motorcycle bearing Registration No. BR32AM-9968, and engaged in illegal trade of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that out of family acquaintance, the petitioner provided his motorcycle to one Govind Kumar in good faith for his personal use, but subsequently his motorcycle was misused by Govind



Kumar for carrying illicit liquor. It is submitted that said act of Govind Kumar was not within the knowledge of this petitioner and, therefore, it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner, who claims to be a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the 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, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Madhubani/concerned court in connection with Rajnagar P.S. Case No. 267 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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