

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42024 of 2026

Arising Out of PS. Case No.-963 Year-2021 Thana- DANAPUR District- Patna

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1. Kundan Choudhary @ Laddu Chaudhary S/o Om Prakash Chaudhary @ Om Choudhari R/o Village - Takiyapar, 209 Banke Babu Lal Lane, Gavtal, P.S - Danapur, Digha, Diara, District - Patna, State - Bihar, Pin - 800012
 2. Ajay Kumar @ Jay Kumar S/o Om Prakash Chaudhary @ Om Choudhari R/o Village - Takiyapar, 209 Banke Babu Lal Lane, Gavtal, P.S - Danapur, Digha, Diara, District - Patna, State - Bihar, Pin - 800012

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mickey Singh, Advocate
For the Opposite Party : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

learned Additional Public Prosecutor for the State.

2. Both accused/petitioners are named in the FIR

and apprehending their arrest in connection with Danapur

P.S. Case No.963 of 2021 registered under Section 30(a) of

Bihar Prohibition and Excise Act.

3. Allegation against the petitioners is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 16.35 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioners that the name of these petitioners arrayed



solely on the basis of suspicion. It is also submitted that the recovery of illicit liquor was made from outside the house of one, namely, Uma Shankar. It is further submitted that petitioners were neither present at the place of occurrence nor the petitioners were connected in any manner with the alleged illicit liquor. It is further submitted that recovery of illicit liquor was not made from conscious possession of these petitioners. It is argued that no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. Petitioners claimed clean antecedent.

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

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 these petitioners, who are man of clean antecedent, accordingly, both petitioners, above-named, in the event of their arrest or surrender in the court below within a period of four weeks from today, are directed to be released on bail on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Special Excise Judge, Danapur, in connection with Danapur P.S. Case No.963 of 2021, 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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