IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77037 of 2026

CNR No. BRHC011124762026

Arising Out of PS. Case No.-950 Year-2026 Thana- SONEPUR District- Saran

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Chhathu Kumar @ Chhotu Kumar @ Kallu @ Kallu Kumar S/O Late Laxman Chaudhary @ Late Laxman Chaudhary R/o- Parveja Bazar, Gola Bazar, Nahar, P.S.- Sonepur, Dist.- Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Eashita Raj, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sonepur P.S. Case No. 950 of 2026 dated 13.09.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation, the police got an information that the petitioner and co-accused Sonu Chaudhary, are selling wine near the canal. It has further been alleged that the said place was raided, but the accused persons managed to flee away. It has further been alleged that altogether 48 liters of illicit country made liquor was recovered.

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4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It has further been submitted that the alleged recoveries have been made from nearby the canal, which is an open place and accessible to all. It has further been submitted that the process prescribed under Section 103/105 of BNS has not been followed with. Moreover, the petitioner was made accused in three other cases and the police in order to save itself from investigation has named the petitioner. It has lastly been submitted that the petitioner was made accused in three other cases, but he is on bail in those cases.

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

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the case as well as the nature of material against the petitioner, 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-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Sonepur P.S. Case

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No. 950 of 2026, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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