

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83418 of 2025

Arising Out of PS. Case No.-413 Year-2025 Thana- MANJHI District- Saran

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Mohit @ Bose @ Mohit Kumar Chaudhary S/o- Krishna Choudhary @
Krishan Chaudhary R/v- Mohammadpur, Mathanpura Ps- Manjhi Dist- Saran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shweta Anand, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-01-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.
3. Learned counsel for the petitioner submits that the case
was taken up on 17.12.2025, when a report was called for from the
Superintendent of Police, Saran at Chapra but the same till date has
not been received.
4. The Court will not wait endlessly for the report of the
Superintendent of Police, Saran at Chapra.
5. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases under the Excise Act and
allegation is of recovery of 213.140 litres of liquor from the place of
occurrence.
6. Learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even the alleged recovery is from a place which does not belong to the petitioner and is accessible to villagers at large. It is further submitted that petitioner came to be implicated at the instance of the Chawkidar but then it is submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically either at the instance of the Chawkidar, local person, confessional statement or secret information without holding a proper investigation of the case.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the provisional anticipatory bail granted to the petitioner by order dated 17.12.2025 is hereby confirmed.

9. At this stage, learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.5,000/- with the Lawyers' Association of the Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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