

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1971 of 2026

Arising Out of PS. Case No.-217 Year-2025 Thana- BASOPATTI District- Madhubani

1. Khushnandan @ Khusnandan Chaudhary Son of Lal Babu Chaudhary R/o Village - Gamhariya, Ward No. - 13, P.S. - Harlakhi, District - Madhubani.
2. Arbaz Ansari @ Mohit Son of Md. Islam Ansari R/o Village - Gamhariya, Ward No. - 13, P.S. - Harlakhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Basopatti P.S. Case No. 217 of 2025 instituted for the offences under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 126 litres of liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel further submitted that, prima-facie, no case is made out against the petitioners. The petitioner no. 1 has two criminal antecedents whereas petitioner no. 2 has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nyaya Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Basopatti P.S. Case No. 217 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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