

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 58401 of 2023**

Arising Out of PS. Case No.-288 Year-2023 Thana- PAKARIBARAW District- Nawada

1. Bikki Chauhan @ Bimi Kumar Son Of Late Musafir Chauhan Resident Of Village - Pakariyadih, P.S. - Pakaribarwan, District - Nawada
2. Gannu Chauhan @ Ganesh Chauhan Son Of Late Musafir Chauhan Resident Of Village - Pakariyadih, P.S. - Pakaribarwan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Ms Shaheen Begum, APP

**CORAM: HONOURABLE MR JUSTICE SUNIL DUTTA MISHRA**

**ORAL ORDER**

**2      20-09-2023**                      Heard learned counsel for the petitioners and the learned APP for the State.

2 The petitioners apprehend their arrest in connection with Pakribarawan PS Case No 288 of 2023 dated 30.06.2023 instituted for the offence punishable under Sections 30 (a), 30 (d), 41 of Bihar Prohibition and Excise Act.

3 As per the prosecution case, there is recovery of 40 liters country made liquor from the ***Baithak*** (sitting place of male persons) at the outskirts of village.

4 Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. No incriminating article has been recovered from their



possession. They have no concern with the seized material. They have been falsely implicated by the *Chaukidar* due to village politics. The recovery was from the open door hut situated outskirts of the village. Petitioners have one criminal antecedent in which they are on bail.

5 Learned APP opposes the prayer for anticipatory bail.

6 Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Judge I, Nawada in connection with Pakribarawan PS Case No 288 of 2023 dated 30.06.2023 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

M.E.H./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

