

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34765 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- NAWADA District- Nawada

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Ashok Chauhan Son of Ramji Chauhan Resident of Village- Nakati Mahuli,
P.S.- Nawada Town, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Prem Ranjan Kumar, Advocate
For the State : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-08-2024 Heard learned counsels for the parties.

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.

3. As per prosecution case, 10 litre country made liquor has been recovered from an open place.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on suspicion. The alleged recovered is from open place, which is accessible to one and all. Petitioner claims clean antecedents.

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



6. Considering the aforesaid facts and circumstances, fact that nothing has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. 1, Nawada, in connection with Nawada Town P.S. Case No. 85 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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