

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39537 of 2024

Arising Out of PS. Case No.-852 Year-2023 Thana- Excise P.S. District- Nawada

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Ranjit Chaudhary @ Ranjit Chauhan S/o Chandi Chauhan Resident of
Village- Motnaje, P.S.- Muffasil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manmohan Kumar, Adv.

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

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

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nawada Excise P.S. Case No. 852 of 2023 registered for
the offences punishable under Sections 30(a), 56(2)(ii) of the
Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police has recovered
total 200 liter country made liquor from the Tractor bearing
Regd. No. BR27G-8103.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case on the basis of suspicion. He further submits that
nothing incriminating has been recovered from the conscious



possession of the petitioner. The petitioner is the owner of the Tractor, in question which was being driven by Ravishankar Chauhan and the petitioner had no knowledge regarding illegal activity of the driver. The petitioner has no concern with the alleged recovery. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the supplementary affidavit. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Nandlal Chauhan and Ravishankar Chauhan have been granted regular bail by this Court vide order dated 05.03.2024 passed in Cr. Misc. No. 84451 of 2023.

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

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Nawada
Excise P.S. Case No. 852 of 2023, subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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