

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47405 of 2024**

Arising Out of PS. Case No.-84 Year-2024 Thana- ATRI District- Gaya

Naresh Chaudhary, aged about 48 years, Male, S/o Latory Chaudhary, R/o  
Village Pesh, PS- Nardiganj, Dist Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chetanand Paswan, Advocate  
For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      07-08-2024                      Heard Mr. Chetanand Paswan, learned counsel  
appearing on behalf of the petitioner and Mr. Md. Anzarul  
Haque Sahara, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Atri P.S. Case No. 84 of 2024 registered for the offence(s)  
punishable under Sections 30(a)(d) of the Bihar Prohibition and  
Excise Act.

3. As per the allegation made in the FIR, 85 litres of  
illicit liquor was recovered from a public place.

4. Learned counsel appearing on behalf of the  
petitioner submitted that petitioner is innocent and has been  
falsely implicated in the present case. The alleged recovery is



said to have been made from a public place, to which petitioner has no connection. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation and also the fact that recovery of the alleged liquor has been made from a public place, which is accessible to anyone, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Gaya in connection with Atri P.S. Case No. 84 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will



automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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