

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47142 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- Excise P.S. District- Aurangabad

Sanjay Chaudhary (M) aged about 40 years, S/o Anant Chaudhary, R/o
Village Manar, P.S.- Daudnagar, District-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-08-2024 Heard Mr. Ashok Singh, learned counsel appearing
on behalf of the petitioner and Mr. Ashok Kumar Singh, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Daudnagar Excise P.S. Case No. 252 of 2024, registered
for the offence punishable under Sections 30(a)/30(c)/32(3) of
the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, 3000 kg
jawa mahua and 120 litres of country made liquor was
recovered from near the canal and 40 litres of country made
liquor was recovered from Apache Motorcycle bearing
Registration No. BR 26N-6886 belonging to the petitioner.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner has no concern with the alleged seized illicit liquor. Petitioner has three criminal antecedent under the Excise Act. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Taking into consideration the nature of allegation made against the petitioner and considering the recurring attempt of the petitioner to commit crime under Excise Act, I am not inclined to enlarge the petitioner on pre-arrest bail. However, the petitioner, if so advised, may surrender before the learned District Court and file regular bail application.

7. Learned District Court is directed to dispose of the regular bail application of the petitioner same day, in accordance



with law.

8. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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