

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83708 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- Pahelja P.S. District- Saran

Nanhak Chaudhary @ Om Prakash Chaudhary Son of Late Bhagwat Chaudhary Resident of Village - Kharika, P.S. - Pahleja, District - Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Pahleja P.S. Case No. 114 of 2024 dated 14.10.2024, instituted for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 80 litres country made liquor from Guava orchard of Shyamdeo Singh near *Brahm Asthan*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that nothing has been recovered either from the conscious possession of the petitioner or from his house



rather the said illicit wine has been recovered from one Guava orchard. It is submitted that only on the basis of suspicion, the name of the petitioner has been disclosed by the local Chowkidar. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Pahleja P.S. Case No. 114 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Excise Judge-II, Saran at Chapra, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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