

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84985 of 2024

Arising Out of PS. Case No.-258 Year-2024 Thana- CHAKAND District- Gaya

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1. Sansan Chaudhary @ Niraj Kumar Son of Late Chotu Chaudhary Resident of village-Madan Bigha, P.S. -Chakand, District -Gaya
 2. Bipin Kumar Chaudhary @ Gore Lal Chaudhary Son of Late Rajesh Chaudhary Resident of village-Madan Bigha, P.S. -Chakand, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabia Gulnaz, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioners are apprehending arrest in connection with Chakand P.S. Case No. 258 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, there is alleged recovery of 60 liters and 10 liters country made illicit liquor from two Splendor motorcycles respectively. Co-accused Anuj Kumar was apprehended on the spot and he disclosed the name of the petitioners, who are said to have fled away from the place of occurrence.



4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. Petitioners are not the owner of any of the seized motorcycles. He further submits that except disclosure of co-accused Anuj Kumar, there is nothing on record to connect the present petitioners with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provisions of Bihar Prohibition and Excise Act. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Judge, Excise Court No. 4, Gaya in



connection with Chakand P.S. Case No. 258 of 2024, subject to
the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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