

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2902 of 2025

Arising Out of PS. Case No.-102 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Kamlesh Chaudhary S/O Kedar Chaudhary Village- Bhadaji, PS- Mufassil,
Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Adv
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Excise P.S.

Case No. 102 of 2011 registered for the offences punishable

under Section 47(a) of the Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 40 litres of IMFL/country made liquor and

450 kilograms of *mahua* flower.

4. Learned counsel appearing on behalf of the



petitioner submitted that alleged recovery of illicit liquor and *mahua* flower was made from an open place buried under soil easily accessible by general public. It is submitted that the name of petitioner transpired in this case on the basis of secret information, where source of information is undisclosed. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and further by taking note of the fact, as recovery of illicit liquor and *mahua* flower *prima-facie* not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Judge No. 3, Gaya/concerned trial court where the case is pending in



connection with Excise P.S. Case No. 102 of 2011 subject to
the conditions as laid down under Section 482(2) of the
BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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