

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3870 of 2025**

Arising Out of PS. Case No.-125 Year-2024 Thana- RISIYAP District- Aurangabad

Prakash Chauhan @ Prakash Kumar S/o Rajkumar Chauhan Resident of  
Village- Dhibra, P.S- Simra, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Singh  
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      07-03-2025      1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Risiup Police Station Case No. 125 of 2024, dated 09.9.2024, disclosing offences punishable under Sections 126(2)/74/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the daughter of the informant, along with one another girl, were returning after attending nature's call, in the mean while, three boys came on a motorcycle and caught hold of their hands. Upon alarm being raised by the girls, the villagers reached there and caught one



person, namely, Trilok Chauhan and also recovered one bottle of liquor from him. The apprehended person disclosed the name of the petitioner and another co-accused, who succeeded in fleeing away.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused in this case on the basis of disclosure of his name by the apprehended co-accused person. The liquor was recovered from the apprehended co-accused person and the petitioner is having no criminal antecedent. Except the disclosure of his name by the arrested co-accused person, no other material has come during the investigation against the petitioner.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Exclusive Special Excise Court No. II, Aurangabad, in connection with Risiup Police Station Case No. 125 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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