

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3270 of 2025

Arising Out of PS. Case No.-755 Year-2024 Thana- SIWAN MUFFASIL District- Siwan

Jatan Chauhan @ Manohar Chauhan S/O Jaichand Chauhan Resident of
village- Khurmabad, P.S.- Siwan Muffasil, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-02-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Siwan Muffasil PS case no. 755 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. The prosecution story, as per the First Information
report, is that on 26.11.2024, police got secret information that
two persons were coming from Kurmabad river along with one
bag containing illicit liquor and they reached near the place of
occurrence. Upon seeing the police party, both were trying to
flee away but one person apprehended, who disclosed the name
of the absconded person as the petitioner herein. On search of



bag, total 12.150 liters of illicit liquor has been recovered.

4. Learned Counsel for the petitioner submits that the petitioner is not having any criminal antecedent and his name transpires in this case on the basis of disclosure made by the apprehended co-accused. He further submits that the bag from where, illicit liquor has been recovered, does not belong to the petitioner. He also submits that the liquor has not been recovered from the conscious possession of the petitioner and/or premises belonging to him.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from a bag which does not belong to the petitioner as also the fact that petitioner is having no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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 court of Exclusive Special Excise Court No. II, Siwan in connection with Siwan Muffasil PS case no.



755 of 2024, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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