

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6003 of 2025

Arising Out of PS. Case No.-419 Year-2024 Thana- LAURIA District- West Champaran

1. Rupesh Chaudhary @ Rahul Chaudhary S/o- Santosh Chaudhary R/o- Pakdhi Nuniya Tola PS- Lauriya District- West Champaran
2. Teras Mukhiya @ Teras Chaudhary S/o- Kishori Mukhiya R/o- Khekhariya Tola Sugauli PS- Lauriya District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Umesh Kumar Gupta, Advocate
For the State : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2025 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw this anticipatory bail petition on behalf of Petitioner No. 2, namely Tera Mukhiya, as during pendency of this case, Petitioner No. 2 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail petition on behalf of Petitioner No. 2 stands dismissed as withdrawn.

5. Petitioner No. 1 apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.



6. As per prosecution case, 60 liters country made liquor has been recovered from an open place.

7. It is submitted by learned counsel appearing on behalf of the petitioners that petitioner is innocent and has committed no offence. The alleged illicit liquor has been recovered from an open place. No incriminating article has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on suspicion. Petitioner claims clean antecedents.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

9. Considering the aforesaid facts and circumstances, nature of accusation, the fact that no incriminating article has been recovered from possession of this petitioner and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No., 1 be enlarged 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 Judge,



Excise-II, Bettiah, West Champaran in connection with Lauriya
P.S. Case No. 419 of 2024, subject to condition as laid down
under Section 482 of the B.N.S.S..

11. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

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