

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5985 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- CHAUSA District- Madhepura

Jawahar Sharma Son of Late Akkal Sharma village- Fulout west, Ward no. 3,
Ps- Fulout, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate
For the State : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 5 litres country made *Mahua* liquor was recovered from an open place which was allegedly thrown by this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. 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. The alleged recovery has been made from an open place. Petitioner



has got one criminal antecedent of similar nature in which he is already on bail.

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

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

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 Addl. Sessions Judge-VII-cum-Special Judge Excise-II, Madhepura in connection with Chousa (Fulot) P.S. Case No. 302 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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