

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6322 of 2025

Arising Out of PS. Case No.-51 Year-2020 Thana- NAVINAGAR District- Aurangabad

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Dileshwar Chauhan @ Dileshwar Kumar Noniya S/O Late Ram Ganesh Chauhan @ Ganesh Chauhan Vill.- Bardih Khurd, P.S.- Barun, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Priya Ranjan, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 07-05-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Navinagar P.S. Case no.51 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.
3. As per the prosecution case, the informant states that on seeing police personnel the driver of Tata Magic Van bearing Registration No. BR26C-4420 tried to mangle to escape but was apprehended at the spot who disclosed his name as Harendra Mehta. On search, a total of 357 liters of country made liquor is said to have been recovered from the the said van.



4. Learned counsel for the petitioner submits the name of the petitioner has surfaced in this case on the confessional statement of accused Harendra Mehta made before police that the vehicle belongs to the petitioner. It is further submitted that the petitioner is neither the owner of the said vehicle nor does he has any concern with the seized liquor. As a matter of fact, the vehicle in question belongs to one Parmanand and the documents of the said vehicle also stand in his name and this fact has been stated in paragraph no. 7 and 10 to the petition and is also supported by the materials collected during course of investigation in view of paragraph no. 32 of the case diary. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Navinagar P.S. Case no.51 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Addl. District & Sessions Judge-cum-Special Judge, Excise Court No. 01, Aurangabad, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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