

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10995 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- NTPC KHAIRA District- Aurangabad

1. Mister Chauhan @ Mister Kumar Son of Ishwar Chauhan @ Ishwarnath Chauhan Resident of Village - Mahuari, P.S. - Nabinagar, District -Aurangabad.
2. Srikant Chauhan Son of Mudrika Chauhan @ Munarik Chauhan Resident of Village - Mahuari, P.S. - Nabinagar, District -Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate
For the Opposite Party/s : Mrs. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-03-2025 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with regard to petitioner No. 1 as during pendency of the case, he has already been arrested.

2. Permission is granted.

3. This anticipatory bail application with regard to petitioner No. 1 is, accordingly, dismissed as withdrawn.

4. Heard learned counsel for the petitioners and the State.

5. Petitioner No. 2 apprehends arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.



6. As per prosecution case, 39 litres country made liquor was recovered from the motorcycle of co-accused Mister Chauhan.

7. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner and he has been made accused only on suspicion. He further submits that the motorcycle in question does not belong to the petitioner. Petitioner claims clean antecedent.

8. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Special Judge of Excise-02, Aurangabad in connection with N.T.P.C. Khaira P. S. Case No. 01 of 2025, subject to condition as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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