

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12593 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- AKBARPUR District- Nawada

Karu Chaudhary S/O Waleswar Chaudhary R/O Village- Akbarpur Dhalab,
P.S- Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Akbarpur P.S. Case No. 3 of 2025 dated 03.01.2025 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 20 litres country *mahua* liquor from co-accused, Neelam Kumari and 40 litres country made *mahua* liquor at the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that nothing has been recovered either from the conscious possession of the petitioner or from the house of the petitioner, rather the same has been recovered



from the apprehended person. The petitioner has been made accused in this case only on the basis of disclosure made by the local chaukidar. Lastly, it has been submitted that petitioner has one criminal case against him of similar nature.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Akbarpur P.S. Case No. 3 of 2025, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court- I, Nawada subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood



relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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