

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13728 of 2025

Arising Out of PS. Case No.-766 Year-2024 Thana- RAFIGANJ District- Aurangabad

Ashok Kumar Chaudhary Son of Prabhakar Chaudhary Resident of Village-
Sabji Market, Bara, Guraru, P.S.- Guraru, Distt.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalbahadur Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Rafiganj P.S. Case No. 766 of 2024, dated 23.12.2024, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 10 litres of illicit country made liquor has been made, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



further submits that the petitioner's name has been figured in this case merely on suspicion. Additionally, Counsel submits that the petitioner has been implicated solely because he is the owner of the motorcycle. Counsel further submits that nothing has been recovered from the possession of the petitioner. Counsel also submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Sessions Judge- cum- Special Judge, Excise- 1, Aurangabad, in connection with Rafiganj P.S. Case No. 766 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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