

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15330 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- CHAKIA District- East Champaran

Gautam Kumar S/O Surendra Paswan R/O Vill.- Barmadiya Ward No. 3, P.S.-
Chakia, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Adv

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends his arrest in connection with
Chakia P.S. Case No. 10 of 2025 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Act.

3. From perusal of the first information report as also
the seizure list, it would appear that upon secret information,
53.67 liters of foreign liquor was recovered behind the poultry
farm hidden under the heap of straw. It is stated that petitioner
fled away from the place of occurrence after seeing the police.

4. The learned counsel for the petitioner submits that it
would be clear from the FIR itself, that seizure has been made
behind the poultry farm, an area which can be accessed by



anyone. It is also submitted that there is no independent witness to the seizure list, therefore, the mandatory provisions of search and seizure has been violated.

5. Considering the facts and circumstances and also considering that the petitioner has clean antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Motihari, East Champaran in Chakia P.S. Case No.10 of 2025, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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