

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15440 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- SAHPUR District- Bhojpur

Chhathu Bin @ Chhathu Chaudhary S/o Late Raja Bin Resident of Village-
Hariharpur, P.s.- Sahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Sahpur P.S. Case no.9 of 2025 registered under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. From a perusal of the F.I.R and the seizure list it
appears that there is recovery of 14 liters of country made liquor
from a plastic bag which was found behind the house of the
petitioner. The local *chowkidar* disclosed the name of the
petitioner and that is how the name of the petitioner has figured



in the case.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No recovery has been made from the conscious possession of the petitioner. The alleged place is an open space which is accessible to all. The name of the petitioner has come only on the basis of suspicion and some oblique motive. 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 place of recovery being an open space which is accessible to all, 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 Sahpur P.S. Case no.9 of 2025 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 Exclusive Special Excise Court-II, Bhojpur at Ara, 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 petitioner shall co-operate in investigation/trial.

(Soni Shrivastava, J)

Harsh/-

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