

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15650 of 2025

Arising Out of PS. Case No.-293 Year-2024 Thana- NAWADA District- Nawada

1. Rajesh Chauhan Son of Rajendra Chauhan Resident of Village - Bhadauni, Laxmipur Beldariya, P.S. - Town (Nawada), District - Nawada
2. Shrawan Chauhan Son of Raudi Chauhan Resident of Village - Bhadauni, Laxmipur Beldariya, P.S. - Town (Nawada), District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioners and
Learned A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Nawada Town P.S. Case No. 293 of 2024 lodged on 22.02.2024, for the offence punishable under Sections 30(a) & 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. Total recovery of 6 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that nothing incriminating has been recovered from the possession of the petitioners. Counsel further submits that criminal antecedent of the petitioners are



not clean as there is one case pending against petitioner no.1 in which he is on bail and two cases are pending against petitioner no.2 and in both the cases, he is also on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that criminal antecedent of the petitioners are not clean and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners are hereby rejected.

7. It is hereby directed to the petitioners to surrender before the Trial Court within a period of 4 weeks from today. In case, petitioners surrenders within four weeks, then the Trial Court is directed to pass order on their surrender-cum-bail application without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case considering the ingredients of the offence under Bihar Prohibition and Excise Act.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

