

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18176 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- NARHATT District- Nawada

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Munnilal Chauhan @ Munnilal Prasad @ Munni Lal Chauhan @ Muni Lal Prasad S/o Late Lakshman Chauhan @ Lakshman Nonia R/o Village- Punaul, P.S.- Narhat, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-03-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Narhat Police Station Case No. 311 of 2024, dated 06.09.2024, disclosing offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that the police got secret information that one tempo was coming, loaded with illicit liquor, which was being escorted by one Apache motorcycle. Upon this information, the police started the vehicle checking and saw that two persons, on a motorcycle, were coming and behind them, one tempo was also there and upon seeing the police, the persons sitting on the



motorcycles tried to flee away, but were apprehended by the police, who disclosed their names as Chandan Kumar and Ravish Kumar. The police also apprehended four persons from the tempo, who disclosed their names as Neeraj Kumar (driver), Chanirak Chauhan, Vikash Kumar and Anupam Kumari and the arrested co-accused person, namely, Chanirak Chauhan disclosed that they purchased the illicit liquor from co-accused Kailu Yadav and were going to deliver the same to co-accused Mukesh Chauhan. On search of the tempo, the police recovered 164 litres of illicit country-made liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of confessional statement of co-accused Chanarik Chauhan before the police. The petitioner is not named in the FIR. He further submits that the petitioner has no concern with the illicit liquor and he is not the driver/owner of the Apache motorcycle and the tempo. Petitioner is having clean antecedent. He next submits that similarly situated co-accused persons have also been granted bail by this Court vide order dated 17.12.2024, passed in Criminal Misc. No. 82722 of 2024.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that



the petitioner is neither the owner nor the driver of the Tempo, from where illicit liquor has been recovered and was not present at the place of occurrence at the time of recovery of the illicit liquor and the petitioner is having clean antecedent and similarly situated co-accused persons have also been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

6. These applications are, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Nawada, in connection with Narhat Police Station Case No. 311 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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