

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17465 of 2025

Arising Out of PS. Case No.-341 Year-2024 Thana- NAVINAGAR District- Aurangabad

Neeraj Chauhan @ Neeraj Kumar Chauhan Son of Lal Babu Chauhan
Resident of village- Mahuary, PS- Nabinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner is apprehending his arrest in connection with Nabinagar P.S. Case No. 341 of 2024 registered for the offences under Sections 30(a) & 30(c) of Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, on the basis of secret information about manufacturing of illicit country made liquor, police conducted raid at the identified place. One person fled away from the spot who was identified by the local villager and the informer as the petitioner. From search of the place, recovery of some equipment for manufacturing illicit liquor, 16 litres of country made Mahua liquor and 3000 litres of raw



material were recovered which was destroyed after taking out the sample.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case on the disclosure by the informer and except for that there is no material against him. The petitioner was not present at the spot and nothing incriminating has been recovered from his person or possession. The recovery has been made from a bank of river. The petitioner has no criminal antecedent. In the facts and circumstances, there is no application of Section 30(a) or 30(c) of Bihar Prohibition and Excise Act, 2018 against the petitioner.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the possibility of false implication and the clean antecedent of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge -cum- Special Judge, Excise Court No. 01, Aurangabad/concerned court in connection with Nabinagar P.S. Case No. 341 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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