

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19297 of 2025

Arising Out of PS. Case No.-73 Year-2022 Thana- Excise P.S. District- Samastipur

Vinod Chaurasiya S/O Dineshwar Chaurasiya R/O Vill.- Patiya ward no. 6,
P.S.- Hasanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No. 73 of 2022 registered on 07.03.2022 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution, total recovery of 6.270 liters Indian Made Foreign Liquor, is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. In fact, the alleged recovery was made from a *bathan*, which is an open area and does not belong to the petitioner. It is further submitted that the petitioner's antecedents are not clean, as he is an accused in one case.



5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Samastipur, in connection with Excise P.S. Case No. 73 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, it is directed that the petitioner shall surrender before the Trial Court within a period of four weeks from today. In the event that the petitioner surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court. The Trial Court shall also consider whether the ingredients of the offence are present or not while passing its order.

(Dr. Anshuman, J)

Ashwini/-

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

