

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18701 of 2025

Arising Out of PS. Case No.-124 Year-2023 Thana- RUPASPUR District- Patna

Munna Chauhan S/O Hari Chauhan Resident of Village- Dariyapur,
Khizarsarai, Dariyapur, P.S.- Khizarsarai, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kishore, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-04-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Rupaspur P.S. Case no.124 of 2023 registered for the offence punishable under sections 30(a), 37(b) and (c) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on secret information having been received about the accused persons being involved in the manufacture and sale of liquor, it is stated that a raid was conducted and a number of accused persons named in the FIR were caught. It is further stated that two of the accused who were caught disclosed that they are involved in the sale of liquor along with this petitioner. On search, a total of 22 litres of country liquor was recovered.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From the contents of the FIR itself, it would transpire that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The only material against him is the statement of two accused made before police to the effect that they are involved in sale of liquor with this petitioner. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, no incriminating article having been recovered from petitioner's possession, the only material against the petitioner being the statement of co-accused made before police and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, 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 Rupaspur P.S. Case no.124 of 2023 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 Special Excise Judge,
Danapur, Patna.

(Partha Sarthy, J)

Saurabh/-

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