

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18588 of 2025

Arising Out of PS. Case No.-782 Year-2024 Thana- Excise P.S. District- Nawada

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Shambhu Chaudhary Son of Late Hari Chaudhary Resident of Village - Pipra
Pasi Tola, P.S. - Govindpur, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise (Nawada) P.S. Case No. 782 of 2024 instituted for the offence under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a house, 10 liters of country made liquor and *Jawa Mahua* was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He also submits that from perusal of the FIR, it transpire that the house was open and nobody was there. From perusal of the seizure list, it also transpires that the place from where the seizure is made is described as Pipra Pashi Tola which is not the house of



the petitioner. It is also submitted that the house was in a dilapidated condition and the petitioner regularly lives outside the village. No recovery has been made from the possession of the petitioner.

5. In contra, learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail **with a condition that the petitioner shall not indulge in similar nature of offences in future.** The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise (Nawada) P.S. Case No. 782 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise-2, Nawada subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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