

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23636 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- Sinha District- Bhojpur

Chandan Singh @ Chandan Kumar Singh S/O Upendra Singh R/O Village-
Sinha, P.S- Sinha, Distt.- Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sinha P.S. Case No. 10 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, 221 litre mahua liquor was recovered from the Mustard field of the petitioner and he succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case merely on the basis of suspicion. He further submits that the place of recovery is an open place which is accessible to all and



petitioner cannot be held liable for the alleged recovery. He further submits that petitioner was not found at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. He has nothing to do with the alleged occurrence. Petitioner bears criminal antecedent of one case in which he is on bail. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Excise Court No. 1st, Bhojpur, Ara in connection with Sinha P.S. Case No. 10 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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