

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30495 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- KOCHAS District- Rohtas

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Ram Pravesh Singh @ Ram Pravesh Chaudhary Son of Late Birendra Singh
@ Birendra Chaudhary Resident of village - Shahmal Khaira, P.S.- Kochas,
District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection
with Kochas P.S. Case No. 62 of 2025 lodged on 28.02.2025,
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner.
Total recovery of 3.06 litres of illicit liquor has been made
which 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. Counsel submits that the alleged recovery has been made from co-accused person who apprehended on the spot and nothing has been recovered from the petitioner's possession. Counsel submits that name of petitioner has come in this case only by virtue of the confessional statement of co-accused. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are four cases pending against him and in all the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are four cases pending against him and all cases are registered under Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with liberty granted to the petitioner that if, he surrenders before the Trial Court within a period of six weeks from today, then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering that whether ingredients of Excise Act is made out against petitioner



or not, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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