

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28806 of 2025

Arising Out of PS. Case No.-698 Year-2024 Thana- Excise P.S. District- Siwan

Prahalad Chauhan S/o Vimal Chauhan R/o Village- Sundarpar, P.S.- Bankata,
District- Deoria (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Chandra Shekhar, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with

Siwan Excise P.S. Case No. 698 of 2024, registered under

Sections 30(a) and 32(3) of the Bihar Prohibition and Excise

Act.

3. The prosecution case, in short, is that, 270 liters

liquor was recovered from car.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case.The petitioner has got no concern with the alleged

recovery of liquor. Learned counsel for the petitioner also



submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case as being owner of the vehicle in question. It is next submitted that the petitioner was the first owner of the alleged vehicle and he has already sold that vehicle to one Arvind Yadav on 05.11.2024, and after that day he got no concern with the alleged vehicle. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been grantedp regular bail by this Court vide order dated 21.01.2025 passed in Cr. Misc. No. 1257 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise P.S. Case No. 698 of 2024, subject to the conditions as laid down



under Section 482(2) of the Bharatiya Nagarik Suraksha
Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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