

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28810 of 2025

Arising Out of PS. Case No.-342 Year-2022 Thana- NAVINAGAR District- Aurangabad

Deoraj Chauhan S/o Late Dhudheswar Chauhan R/o Village- Thengo Tola
Noniya, P.S.- Nabinagar, District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Nabinagar P.S. Case No. 342 of 2022 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 30 litres of illicit mahua liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that alleged illicit liquor was recovered from the possession of one Shambhu Chauhan. It is submitted that as mere motorcycle of this petitioner was parked near to place of recovery, petitioner was implicated with present case without having any



incriminating material. It is further submitted that recovery admittedly not made from physical possession of this petitioner, who is a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-cum-Special Excise Court-I, Aurangabad, in connection with Nabinagar P.S. Case No. 342 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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