

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27720 of 2025

Arising Out of PS. Case No.-342 Year-2025 Thana- Excise P.S. District- Aurangabad

Parpas Chaudhary @ Pramod Chaudhary @ Pramod Kumar S/o- Chotan Chaudhary @ Chhotu Chaudhary Resident of village-Mahuwa Shahid, P.S.- Town Dist-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Aurangabad Excise P.S. Case No. 342 of 2025, registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. The case of the prosecution, in short, is that on secret information, the informant along with other police personnel reached the place of occurrence and recovered 8.875 liters wine from plastic bags which have been thrown from the roof of house of Parpas Chaudhary (the petitioner herein).

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. He further submits that the petitioner has been implicated only on the basis of statement made by villagers. The petitioner has not arrested from the spot nor anything has been recovered from the conscious physical possession of the petitioner.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that nothing has been recovered from the conscious physical possession of the petitioner and also the fact that seizure memo is not witnessed by two independent witnesses which puts a serious question mark over the legality and validity of the seizure itself and also taking into account that the petitioner has one criminal antecedent of similar nature in which, the petitioner is on bail. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 02, Aurangabad in connection with Aurangabad



Excise P.S. Case No. 342 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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