

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32642 of 2025**

Arising Out of PS. Case No.-325 Year-2024 Thana- KAUWAKOL District- Nawada

Manju Devi W/o Arvind Chaudhari @ Arvind Chaudhri Resident of village-  
Sarauni, P.S.-Kawakol (Kawakole), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      21-05-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection  
with Kawakol (Kawakole) P.S. Case No. 325 of 2024 registered  
for the offences punishable under Section 30(a) of the Bihar  
Prohibition and Excise Act, 2016.

3. As per prosecution case, there is alleged  
recovery of 5 liters illicit liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence as alleged  
in the first information report and he has been falsely implicated  
in this case. Learned counsel orally submits that the alleged  
recovery has been made from the joint house and petitioner  
cannot be held liable for the alleged recovery. Petitioner was not



found at the place of occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears criminal antecedent of four cases in which he is already on bail. Because of having criminal antecedents, petitioner has been falsely implicated in cases one after another without any basis. 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. Learned counsel for the petitioner submits that co-accused, Geeta Devi, having similar and identical allegation has already been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 5333 of 2025 and on the principle of parity, petitioner deserves the same treatment. Learned counsel submits that petitioner is ready to cooperate in the investigation.

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

6. Considering the facts and circumstances of the case, co-accused has already been granted anticipatory bail, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. II, Nawada in connection with Kawakol (Kowakole) P.S. Case No. 325 of 2024, subject to the conditions as laid down under section 482(2) of the Code of Criminal Procedure.

7. The application stands allowed.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner.

**(Alok Kumar Pandey, J)**

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