

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32087 of 2025

Arising Out of PS. Case No.-597 Year-2024 Thana- Excise P.S. District- Aurangabad

Mohan Chaudhary S/o Ramchandra Chaudhary R/o vill - Anjanwa, P.S. -
Madanpur, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 597 of 2024 registered for the offences punishable under Section 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, there is alleged recovery of 15 litre illicit liquor from the motorcycle in question. Co-accused, Golu Kumar, was apprehended at the spot as a driver of the said motorcycle.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has



been transpired in the present case as owner of the motorcycle in question. Learned counsel submits that petitioner has given his motorcycle to his son, Golu Kumar, and he has misused the said motorcycle. Petitioner is not found at the place of occurrence. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Seizure list has not been prepared as per law.

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, keeping in view clean antecedent of petitioner, 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand)



with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Second, Aurangabad(Bihar) in connection with Excise P.S. Case No. 597 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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