

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32091 of 2025

Arising Out of PS. Case No.-852 Year-2023 Thana- Excise P.S. District- Nawada

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1. Shree Ram Chauhan @ Shree Ram Kumar S/o- Chandi Chauhan Resident of Village- Motnaje, P.S.- Muffasil, District- Nawada,
 2. Jitendra Kumar @ Jitendra Chauhan S/o- Surendra Chauhan Resident of Village- Motnaje, P.S.- Muffasil, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Man Mohan Kumar, Advocate
For the State	:	Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Nawada Excise PS Case No. 852 of 2023 instituted for the offences under Sections 30(a), 56(2)(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 200 liters liquor was recovered from Tractor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted petitioner No.2 is the owner of the bamboo and woods loaded in the vehicle, whereas petitioner No.1 is the brother of owner of the tractor. The petitioners are men of clean antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or 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) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nawada Excise PS Case No. 852 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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