

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33236 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- NTPC KHAIRA District- Aurangabad

Rohit Chauhan S/O Sri Mohan Chauhan R/O Village- Sheosagar, PS-
Navinagar, District- Aurangabad(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with N.T.P.C. Khaira

P.S. Case No. 28 of 2025 registered for the offences

punishable under Section 30 (a) of the Bihar Prohibition and

Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 15 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the



petitioner submitted that recovery of alleged illicit liquor was made from an open place, which is easily accessible by general public and merely on the basis of suspicion as raised by local chowkidaar petitioner was implicated with the present case. It is submitted that in view of aforesaid, recovery of illicit liquor cannot be said to be made from the physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Court No. II,



Aurangabad/concerned Trial Court where the case is pending
in connection with N.T.P.C. Khaira P.S. Case No. 28 of 2025
subject to the conditions as laid down under Section 482(2) of
the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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