

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36941 of 2025

Arising Out of PS. Case No.-546 Year-2024 Thana- PAKARIBARAW District- Nawada

Krishna Prasad Chauhan S/o- Late Jaimangal Prasad Resident of Village-
Pakri (Near Block Office Pakaribarawan), P.S.- Pakaribarawan, District-
Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-06-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Pakaribarawan Police Station Case No. 546 of
2024, disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.
3. As per the prosecution case, on 13.12.2024, at
about 4:10 pm, while returning from court, police officers
spotted four persons on a motorcycle near Pakaribarawan Block.
On seeing the police party, all the persons tried to flee. One
person, identified as Pankaj Kumar Yadav, was caught, while
three persons succeeded in fleeing after throwing away a gallon.
Police recovered 10 litres of Mahua liquor and seized the



motorcycle bearing Reg. No. BR27S-2987. Apprehended co-accused Pankaj disclosed the names of other accused persons as Sonu Chauhan, Sandeep Kumar, and Prince Kumar.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely on the basis of suspicion. Nothing has been recovered from the conscious possession and/or premises belonging to the petitioner. Petitioner is not named in the FIR. He has been made accused merely on the basis of his being the registered owner of the seized motorcycle. Learned counsel next submits that on the date of occurrence, son of the petitioner namely Sonu Chauhan had taken the vehicle for some urgent work and due to illegal activity of his son, petitioner has been made accused.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and he has been made accused on the basis of his being the registered owner of the seized motorcycle which his son, namely Sonu Chauhan, had taken for some urgent work on the alleged date of occurrence, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Exclusive Special Excise Court-1, Nawada, in connection with Pakaribarawan Police Station Case No. 546 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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