

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47163 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- Excise P.S. District- Buxar

AWADHESH CHOUHAN S/O PARAS CHOUHAN R/o vill - Devadhiyan,
P.S- Rajpur, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Excise (Buxar) P.S. Case No. 77 of 2024, dated 25.02.2024, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Sections 34 and 120(B) of the Indian Penal Code, pending before the Court of Exclusive Excise Special Judge, Court No. 2, Buxar.

3. As per the prosecution, total recovery of 8 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has not been apprehended, rather, he



has been remanded in the present case. He also submits that nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has been made an accused in this case solely on the basis of the confessional statement of the apprehended person. Furthermore, it is submitted that the criminal antecedent of the petitioner is not clean, as three criminal cases are pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that three criminal cases are pending against him, out of which two pertain to excise matters.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

