

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56703 of 2025

Arising Out of PS. Case No.-289 Year-2025 Thana- NAUTAN District- West Champaran

Pawan Kumar S/o Chhathu Choudhary @ Chatu Choudhary R/o Vill - Baira
Parsauni Nautan Dubey, P.S.- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nautan P.S. Case No.289 of 2025 instituted under Sections
30(a), 41(1) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
129.50 litre country made liquor kept in a sack from *diara*
situated at Mangalpur-Gopalganj main road. It is alleged that the
petitioner fled away from the spot after seeing the police team.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of disclosure made by the local
Chaukidar. He further submits that the petitioner has no concern
either with the alleged recovered liquor or with the place from
where the recovery has been made. Learned counsel submits



that petitioner was not present on the spot and no incriminating article has been recovered from his conscious. He further submits that the alleged recovery has been made from an open place which is accessible to public at large. Learned counsel submits that petitioner has no criminal antecedent, however, one case has been lodged against him after lodging of present case and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-I, Bettiah, West Champaran in connection with Nautan P.S. Case No.289 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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