

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58825 of 2025

Arising Out of PS. Case No.-270 Year-2025 Thana- ATRI District- Gaya

Shankar Chaudhary S/o Munni Chaudhary R/o Village- Teusa, P.S.- Atri,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 5 litres of illicit
country made liquor was recovered from the hut of the
petitioner situated near *Anganwadi* center. It is alleged that
petitioner was selling the illicit liquor in the hut and after seeing
the police party, he was fled away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to suspicion. Further submission is that the hut in
question, from where the illicit liquor has been recovered, is an
open place easily accessible to anyone and the same does not



belong to the petitioner. Petitioner has no concern with the seized illicit liquor. Nothing has been recovered from the conscious possession of the petitioner. There is no independent witness on the seizure list. Petitioner has one criminal antecedent. 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 facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below 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 Excise Court No. 1, Gaya in connection with Atri P.S. Case No. 270 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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