

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61738 of 2025

Arising Out of PS. Case No.-567 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Kedar Chauhan S/o Vikram Chauhan R/o Mohalla- Gausala, Pakistan Tola,
P.S.- Katihar Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Katihar Sahayak P.S. Case No. 567/2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, the informant received secret informant that the petitioner and others are involved in the business of illicit liquor, thereafter, the informant alongwith police personnel reached at the place of occurrence and recovered 54 liters country made liquor from the Toto vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Name of the petitioner has been transpired in this



case on the basis of secret information and the source of secret information has not been divulged in the FIR, which questions the authenticity of the FIR and the petitioner cannot be held liable for the alleged recovery. The petitioner bears three criminal antecedents in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner is not the owner of the said Toto vehicle. The petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Excise Court-II, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 567/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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