

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65395 of 2025

Arising Out of PS. Case No.-175 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Dinesh Chaudhary S/o Late Kiro Chaudhary R/o Village- Gauripuri, ward no
01, P.S.- Nawkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Nawkothi P.S. Case No. 175/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 15 liters country made liquor from the place of occurrence. Mahal Chowkidar disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Except disclosure of Mahal Chowkidar, there is



nothing on record to demonstrate the complicity of the present with the alleged occurrence. He orally submits that the petitioner has inimical term with the Mahal Chowkidar due to which he has falsely been implicated in this case. The petitioner bears no criminal antecedent. Place of recovery is open place which is accessible to all and the petitioner cannot be held liable for the alleged recovery. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. 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, keeping in view clean antecedent of petitioner, 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 Exclusive Special Excise Judge-I, Begusarai in connection with Nawkothi P.S. Case No. 175/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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