

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81269 of 2024

Arising Out of PS. Case No.-283 Year-2024 Thana- GOVINDPUR District- Nawada

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1. Preman Chaudhary S/O Saudagar Chaudhary Resident Of Village- Pipra, P.S- Govindpur, Distt.- Nawada.
 2. Bharat Chaudhary S/O Jagrup Chaudhary Resident Of Village- Pipra, P.S- Govindpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 17-01-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Govindpur Police Station Case No. 283 of 2024, dated 23.09.2024, disclosing offence under Section 30(d)/41 of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that on secret information that the petitioners are indulged in manufacturing of liquor near Sakri river at village Pipra, the police reached at the place of occurrence. On seeing the police party, some persons started fleeing away and succeeded in it. Upon search, the



police recovered 1500 liters of Mahua sweet solution from plastic containers.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of suspicion and their names have been disclosed by the local chowkidar. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioners, rather the same has been recovered from the bush near Sakri river, which is open space and is accessible to all and sundry. He further submits that similarly situated co-accused persons, namely, Rajendra Chaudhary and Dharmendra Chaudhary, have been granted anticipatory bail by this Court, vide order, dated 27.11.2024, passed in Criminal Misc. No. 78710 of 2024.
5. Regards being had to the submission made by the parties and taking into consideration the fact that illicit liquor has been recovered from bush near Sakri river, which is open space and is accessible to all and sundry and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. I, Nawada, in connection with Govindpur Police Station Case No. 283 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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