

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79967 of 2025

Arising Out of PS. Case No.-222 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Pawan Chaudhary @ Pawan Chaudhri S/O Munshi Chaudhary @ Munshi
Chaudhri R/O Village- Ramna Mela, P.S- Sherghati, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha

For the Opposite Party/s : Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Sherghati P.S. Case No.222 of 2025 dated 28.07.2025, registered for the offences under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution is that, police apprehended two persons on a bicycle and on their search, recovered three polythene bags, totalling 45 liters of illicit country made mahua liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case merely on the basis of suspicion. There has been no recovery from the constructive possession of the petitioner, and he is in no way connected to the recovered country-made liquor. He further submits that the petitioner has no concern with the seized bicycle. The name of the petitioner transpired on the



basis of confessional statement of apprehended co-accused persons, namely, Putun Manjhi and Vinod Manjhi. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today 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, Court No.3, Gaya, in connection with Sherghati P.S. Case No.225 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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