

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82555 of 2025

Arising Out of PS. Case No.-351 Year-2025 Thana- Excise P.S. District- Nawada

Bindu Chauhan Son of Kokil Chauhan Resident of Village - Manka, P.O.-
Bhanail, Bhanail Lodipur, P.S.- Nemdarganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nawada Excise P.S. Case No.351 of 2025, F.I.R dated 29.05.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2012.

3. As per the prosecution case, on May 29, 2025, at approximately 4:00 PM, SHO Deshman Kumar and his team were conducting a patrol near Pahwachak village when they signaled a green tempo (Registration No. BR-27P-4541) to stop. Upon noticing the police, the driver abandoned the vehicle and attempted to flee into nearby fields but was apprehended by the raiding team. A subsequent search of the vehicle resulted in the



recovery of 52 liters of illicit liquor kept in two sacks on the rear seat. The apprehended driver, identified as Halendra Kumar, confessed that he was transporting the liquor from Mohkama forest on the instructions of Kunal Chouchan, who is alleged to be the owner of the contraband.

4. Learned counsel for the petitioner submits that the the petitioner is the owner of the tempo from where the seized liquor is said to have been recovered, which was being driven by the son of the petitioner. It has next been submitted that the said tempo, though purchased in the name of this petitioner, was given to his son for earning his livelihood but in the course of earning his livelihood, it is said that the illicit liquor has been recovered from the rear seat of the said tempo and the illicit liquor recovered is in no way connected with the said petitioner. The petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 constructive possession and / or premises belonging to the petitioner and the petitioner's son was found driving the said tempo and is currently in judicial custody,



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 Judge Excise-II, Nawada, in connection with Nawada Excise P.S. Case No.351 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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