

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88441 of 2024

Arising Out of PS. Case No.-326 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

Rahul Chaudhary Son of Suresh Chaudhary Resdient of Village- Pandey
Patii,P.S.- Buxar(Muffasil), Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Buxar (Muffasil) P.S. Case No. 326 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, there is alleged recovery of one country made pistol, one magazine loaded with eight cartridges and one country made katta kept in green plastic bag, total 4.680 liters illicit liquor and one android mobile from apprehended co-accused Rahul Kumar who disclosed the name of the petitioner and others.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He has falsely been implicated in this case and he bears no criminal antecedent. Learned counsel further submits that except disclosure of the apprehended co-accused, there is nothing on record to connect the petitioner with the alleged occurrence. Nothing has been recovered from conscious possession of the petitioner and even no one has seen the petitioner concealing the liquor or the weapons.

5. Learned A.P.P. for the State opposes 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 Special Excise Court No.1, Buxar in connection with Buxar Muffasil P.S. Case No. 326 of 2024, subject to the conditions as laid down under



Section 482 of the BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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