

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88486 of 2024

Arising Out of PS. Case No.-601 Year-2024 Thana- RAFIGANJ District- Aurangabad

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Basant Chaudhary Son of Late Yugal Chaudhri Village -Badopur PO- Gordiha
PS- Rafiganj, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Chandna, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rafiganj P.S. Case No. 601 of 2024 instituted for the offence under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that altogether 65 liters of illegal liquor was recovered from a boring room. Co-villagers has disclosed that the said boring room belongs to this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession



of the petitioner rather the recovery of illicit liquor has been made from a boring room which is an open place and the same is accessible to everyone. Petitioner has no concern with the alleged liquor and also he was not apprehended on the place of recovery.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submitted that petitioner has one criminal antecedent.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rafiganj P.S. Case No. 601 of 2024, he will be enlarged on 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 Judge, Excise Court No.1, Aurangabad, Bihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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