

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2590 of 2025

Arising Out of PS. Case No.-679 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Chhotu Kumar Son of Sampat Chaudhari @ Sampat Chaudhary Resident of
Village - Tarar, P.S. - Daudnagar, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalbahadur Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Daudnagar P.S. Case no.679 of 2024 registered under
sections 331(4), 305(a), 351(2) of B.N.S.S, 2023 and Section 37
of the Bihar Prohibition and Excise, 2016.

3. As per the prosecution case, the informant states
that theft had been committed in the house of the informant and
when the informant went to search for two accused persons,
namely, Nanhai Choudhary and the petitioner herein on having



suspicion, they were not found in the house. It is further alleged that on 26.10.2024 when the informant inquired from the said accused Nanhai Choudhary, he accepted his guilt and he was also found in inebriated condition.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The present case has been lodged only on account of suspicion and due to some inimical relations with neighbours. Neither any incriminating article has been recovered from petitioner's possession nor he was found in drunken state. In such view of the matter, neither Section 37 of the Bihar Prohibition and Excise Act, nor allegation of theft would be made out. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the entire facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Daudnagar P.S. Case no.679 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Special Judge,
Excise-II, Aurangabad, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure/Section
482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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