

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.761 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- GOVINDPUR District- Nawada

1. Manoj Chaudhary S/o Somar chaudhary R/o Village- Pipra, P.S.- Govindpur, District- Nawada
2. Chandan Chaudhary S/o Manoj Chaudhary R/o Village- Pipra, P.S.- Govindpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-01-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Govindpur P.S. Case No. 283 of 2024 dated 23.09.2024 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amendment).

3. The prosecution case as per the first information report is that on secret information that the petitioners are indulged in manufacturing of liquor near Sakri river at village Pipra, the Police reached at the place of occurrence. On seeing the Police party, some persons started fleeing away and succeeded in it. Upon search, the Police recovered 1500 liters of Mahua sweet solution from plastic containers.



4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of suspicion and their names have been disclosed by the local Chowkidar. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioners, rather the same has been recovered from a bush near Sakri river, which is an open space and is accessible to all and sundry. He further submits that similarly situated co-accused persons Preman Chaudhary & Bharat Chaudhary in Cr. Misc. No. 81269 of 2024 and Rajendra Chaudhary & Dharmendra Chaudhary in Cr. Misc. No. 78710 of 2024 have been granted anticipatory bail by this court.

5. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has been recovered from a bush near Sakri river, which is an open space and is accessible to all and sundry and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, 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) each



with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Nawada in connection with Govindpur P.S. Case No. 283 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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