

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.257 of 2025

Arising Out of PS. Case No.-29 Year-2016 Thana- HATHAURI District- Samastipur

Pushpak Kumar Chaudhary S/O Sushil Chaudhary R/O Village- Bharpura ,
PS-Vibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Suraj Kumar, Advocate
For the State : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 47(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 39.84 litres foreign liquor, a motorcycle and one mobile phone has been recovered from the spot. Petitioner is alleged to be owner of the mobile phone.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case merely because he happens to be owner of the mobile in question. No incriminating article has been recovered from conscious possession of this petitioner. Petitioner is neither owner nor driver of the vehicle in question.



Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Samastipur in connection with Hathauri P.S. Case No. 29 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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