

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65411 of 2023**

Arising Out of PS. Case No.-366 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. Ram Babu Singh @ Ram Babu Kumar Son Of Late Kalaktar Singh Resident Of Village- Bhagawatipur, Ps- Udwant Nagar, Distt- Bhojpur
2. Ram Pukar @ Dablu Singh Son Of Nand Jee Singh Resident Of Village- Bhagawatipur, Ps- Udwant Nagar, Distt- Bhojpur
3. Premdhan @ Josi Son Of Jay Kishor Singh Resident Of Village- Bhagawatipur, Ps- Udwant Nagar, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ganesh Prasad Singh  
For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      18-10-2023                      Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per F.I.R., 49 liters of Mahua wine was recovered from an open place.

4. It is submitted on behalf of petitioners that petitioners have been made accused in this case only on the basis of confessional statement of co-accused Sheo Bahadur Singh, who was apprehended on spot. Save & except this, there is nothing against these petitioners nor any incriminating article



has been recovered from their possession.

5. However, learned A.P.P. submits that petitioner no. 1 has one criminal antecedent of similar nature and petitioner no. 3 has two criminal antecedent of similar nature, whereas, petitioner no. 2 has got clean antecedent.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner no.1 & 3 is refused.

7. So far as prayer for anticipatory bail of petitioner no.2, as named above, is concerned, since he has got clean antecedent, in the event of arrest/surrender within a period of six weeks from today, he is directed to 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 2<sup>nd</sup> Exclusive Excise Court, Bhojpur at Ara in connection with Udwant Nagar P.S. Case No. 366 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application is, accordingly, disposed of.

**(Prabhat Kumar Singh, J)**

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