

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11425 of 2025

Arising Out of PS. Case No.-579 Year-2024 Thana- MADHAURAH District- Saran

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1. Lalmuni Devi @ Lakhmuni Devi W/O Ramji Mahto R/O Village- Repura, P.S- Marhowrah, Dist.- Saran
 2. Shio Prasad Mahto S/O Nageshwar Mahto R/O Village- Repura, P.S- Marhowrah, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-04-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Marhowrah P.S. Case No. 579 of 2024 dated 16.10.2024 registered under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the first information report the Police during search of illicit liquor with excise officials reached in the village: Repura and recovered 25 liters of illicit liquor from a bamboo clump situated near the river bank. Upon seeing the police party, the accused person including the petitioners fled away. The Mahal Chowkidar identified the petitioners who succeeded in fleeing away.

4. Learned counsel for the petitioners submits that petitioners



have falsely been implicated in this case on their identification by the Mahal Chowkidar. The liquor has not been recovered from conscious possession and / or premises belonging to the petitioners but the same has been recovered from an open space accessible to all and sundry.

5. Regard being had to the submission made by the parties, taking into consideration the fact that liquor has been recovered from a bamboo clump situated near river bank which is an open space accessible to everyone, accordingly, 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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Marhowrah P.S. Case No. 579 of 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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