

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10363 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- GOPALPUR District- West Champaran

1. Munna Gaddi Son of Late Sahid Gaddi Resident of village- Dakahi, PS- Gopalpur, District- West Champaran
2. Jafir Alam Son of Fatman Devan Resident of village- Dakahi, PS- Gopalpur, District- West Champaran
3. Md. Hadish Alam @ Hadish Alam Son of Ekbal Gaddi Resident of village- Dakahi, PS- Gopalpur, District- West Champaran

... .. Petitioners

Versus

The State of Bihar Advocate General Bihar, Patna.

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sujeet Kumar, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Gopalpur PS. Case No.07 of 2025 Dated-11.01.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, there is recovery of 81 litres of liquor from *chhath* ghat near Chachar bridge of Mahmadwa.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this



case. He further submits that there is no material available against the petitioners except the hearsay that they have fled away from the place of occurrence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner nos. 2 and 3 have been made accused in one and three case/s each, respectively, whereas petitioner no.1 has no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Bettiah, West Champaran in connection with Gopalpur PS. Case No.07 of 2025, subject to the conditions as laid down under



Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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