

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14253 of 2025

Arising Out of PS. Case No.-346 Year-2024 Thana- JAMOBABAZAR District- Siwan

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1. Chandeshwar Ram @ Chaneshar Ram @ Chandeshar Ram, S/o Late Badri Ram R/o Village-Harihar pur khurd , P.S- Jamo Bazar, Dist -Siwan.
 2. Bhola Basfor @ Bhola Kumar Basfor, S/o Naina Basfor R/o Village-Manjhwalia, P.S- Jamo Bazar, Dist -Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar, Advocate

For the State : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 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 Jamo Bazar PS. Case No.346 of 2024, Dated-18.10.2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per allegation, 15 liters of liquor has been recovered from a bush situated in Siwan.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the recovery has been made from



an open space accessible to public and the petitioners are no way connected with it.

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 no.1 has been made accused in one other case whereas the petitioner no.2 has clean antecedent.

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 Excise Court No.1, Siwan, in connection with Jamo Bazar PS. Case No.346 of 2024, 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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