

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10861 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- CHARPOKHARI District- Bhojpur

1. Hare Ram Musahar S/O Dhaneshwar Musahar @ Dhaneshar Musahar R/O Village- Mansagar Rataniya Tola, P.S.- Charpokhari, District- Bhojpur
2. Jitendra Musahar @ Jitendra Kumar Ram S/O Daneshwar Musahar @ Dhaneshar Mushar Actual Father Name Of Late Basudev Musahar. R/O Village- Mansagar Rataniya Tola, P.S.- Charpokhari, District- Nalanda
3. Baikuntha Musahar S/O Late Sukhichand Musahar R/O Village- Mansagar Rataniya Tola, P.S.- Charpokhari, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-03-2025 Heard the learned counsel for the petitioners and
learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Charpokhari P.S. Case No. 272 of 2024 registered for offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, 40 liters of illicit liquor has been recovered.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence. He further submits that the petitioners were not caught



on the spot. Local *chokidar* has named the petitioners. Petitioners claim clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this application for anticipatory bail is allowed.

7. Accordingly, let the petitioners, above-named, in the event of his arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Bhojpur at Ara/concerned court below in connection with Charpokhari P.S. Case No. 272 of 2024 subject to the conditions that:-

i). Before accepting the bail-bonds of the petitioners, the Court below will verify the antecedent of the petitioners. If the petitioners are found having clean antecedent, then the bail-bonds of the petitioners shall be accepted. If the petitioners are found having criminal antecedent(s), then their bail-bonds shall not be accepted by the court below.

(ii). The petitioners will mark their attendance at the Charpokhari Police Station, Bhojpur on every Sunday of each month. Any default in the appearance at the Police Station would result in cancellation of



the bail bonds of the petitioners.

8. This application for anticipatory bail is allowed.

(Sandeep Kumar, J)

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