

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10524 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Bacha Rai @ Bachcha Rai Son of Prasad Rai Resident of Village - Piparpati, P.S. - Chiraiya, District - East Champaran
2. Munmun Kumar Son of Bachacha Rai Resident of Village - Piparpati, P.S. - Chiraiya, District - East Champaran
3. Tuntun Kumar Son of Bacha Rai @ Bachcha Rai Resident of Village - Piparpati, P.S. - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 30 (c) of the Bihar Prohibition and Excise Act.

3. A perusal of the First Information Report and the seizure list would go to show that 30 liters of country made liquor has been recovered along with 2000 liters of semi prepared solution which was destroyed along with some utensils for the purposes of making liquor in an open field near the brewery of the petitioners.

4. Learned counsel for the petitioners submits that the



name of the petitioners has come upon disclosure made by the local Choukidar as the persons who had fled away from the place of occurrence, on mere suspicion. There is no recovery from the physical and conscious possession of the petitioners and there is no independent witness to the seizure list. The petitioners have no criminal antecedent and are not engaged in sale, purchase and manufacture of liquor.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering the above-mentioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioners. Let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned 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 the learned court below where the case is pending/successor court in connection with Chiraiya P.S. Case No. 412 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S. and subject to the further condition that:-

(i) The petitioners shall cooperate in the



investigation/trial.

(ii) They will appear before the I.O. at an interval of every 15 days till submission of charge-sheet.

(iii) The court below shall verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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