

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26252 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- BANIAPUR District- Saran

1. Anish Singh Son of Akhileshwar Singh Residfent of Vilage - Usti, PS- Baniyapur, District- Saran At Chapra
2. Raj Kumar Mahto son of Rajnath Mahto village- Mirjapur, Ps- Baniyapur, Dist- Saran at chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 180 litres county made liquor was recovered from the mango orchard.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners and they are not concerned with the alleged recovery or with the place of recovery. Petitioner No. 1 claims clean antecedent and petitioner No. 2 has got two



criminal antecedents of similar nature and he is on bail in both the cases.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner No. 2 has got two criminal antecedents of similar nature.

6. Considering the fact that that petitioner No. 2 has got two criminal antecedents of similar nature, his prayer for anticipatory bail is refused.

7. However, considering the nature of accusation and clean antecedent, this anticipatory bail is allowed with regard to petitioner No. 1 and it is ordered that let the above named petitioner No. 1 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 1st Exclusive Special Excise Judge, Saran at Chapra in connection with Baniyapur P. S. Case No. 20 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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