

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21710 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- HASANPUR District- Samastipur

1. Aruna Devi Wife of Dilip Sah Resident of Village- Ward No 3 Deodha, PS- Hasanpur, Distt.- Samastipur (Bihar)
2. Dilip Sah Son of Late Parmeshwar Sah Resident of Village- Ward No 3 Deodha, PS- Hasanpur, Distt.- Samastipur (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Hasanpur P.S. Case No. 24 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioners is to have in possession of 5.400 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioners submitted that alleged illicit liquor appears to be recovered from the Varandah of the house, which was occupied by different adult family members of the petitioners. It is submitted that in view of



same, it can be safely said that recovery of illicit liquor not appears to be made from physical possession of the petitioners, who claim to be the men of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of the petitioners, accordingly, both above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Samastpur, in connection with Hasanpur P.S. Case No. 24 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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