

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21333 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- SUPPI District- Sitamarhi

1. Chulhai Ray S/o- Baijnath Ray Resident of village- Sonakhan PS- Suppi District- Sitamarhi
2. Bhola Ray S/o- Shambhu Ray Resident of village- Sonakhan PS- Suppi District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Suppi P.S. Case No. 252 of 2024 lodged on 24.12.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against 8 named accused persons including the present petitioners. Total recovery of 690 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the apprehended accused persons have disclosed the name of the petitioners and nothing has been recovered from petitioners' possession and as such, there is no



ingredients of Excise Act against the present petitioners. Counsel further submits that the petitioners have no criminal antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that petitioners have no criminal antecedent and they were not apprehended from the place of occurrence.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court-I, Sitamarhi, in connection with Suppi P.S. Case No. 252 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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