

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26544 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- PANAPUR District- Saran

1. Suresh Nut S/O Late Jawahar Nut R/O Village- Bag Diha, P.S- Panapur, Distt.- Saran.
2. Rina Devi W/O Suresh Nut R/O Village- Bag Diha, P.S- Panapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Panapur P.S. Case No. 397 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 2.500 litre country made mahua liquor from the house of petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this



case. He further submits that petitioner no.1 and 2 are husband and wife. Learned counsel orally submits that place of recovery is joint house property and petitioner cannot be held liable for the same. Petitioner no.1 bears criminal antecedent of one case and petitioner no. 2 bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioners. Petitioners were not found at the place of occurrence. Learned counsel further submits that seizure list has not been prepared as per law. Petitioners have no concern with the alleged recovered liquor.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court Judge at Chapra in connection with Panapur P.S. Case No. 397 of 2024, subject to the conditions as



laid down under Section 482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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