

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26909 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- BHAGWANPUR District- Begusarai

1. Foolo Mandal @ Fula Mandal s/o Dhnik Mandal Village- Gehuni Jamalpur, P.S.- Bhagwanpur, Dist.- Begusarai
2. Saraswati Kumari W/O Foolo Mandal @ Fula Mandal Village- Gehuni Jamalpur, P.S.- Bhagwanpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-05-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bhagwanpur P.S. Case No. 68 of 2025 for the offence punishable under Section 30(a) and 45 of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 80 litres of *tadi* 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 petitioners are not apprehended from the place of occurrence. He submits that there is no criminal



antecedent of the petitioners. Counsel submits that nothing has been recovered from the possession of present petitioners. They are subject to conspiracy and this case has been planted against the petitioners.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the record, it transpires that neither recovery of alleged *tari* has been made from the petitioners possession nor they were 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 their 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 Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Learned Exclusive Special Judge-I, Begusarai in connection with Bhagwanpur P.S. Case No. 68 of 2025, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Sudhanshu/-

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