

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25605 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- BABUBARHI District- Madhubani

1. Rajesh Kumar Safi S/o Ramchandra Safi R/O- Village- Murhaddi Bardki Tola (Wrongly mentioned Balaki Tol in the F.I.R.), P.S.- Babubarhi, District- Madhubani.
2. Indra Kumar Das @ Indra Kumar S/o Ram Bahadur Das R/O- Village- Murhaddi Bardki Tola (Wrongly mentioned Balaki Tol in the F.I.R.), P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav, Advocate
	:	Mr.Vinod Kumar, Advocate
	:	Mr.Rajesh Kumar, Advocate
For the Opposite Party/s :	:	Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-05-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Babubarhi PS case no. 31 of 2025 dated 04.02.2025, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information report, is that on secret information when police party reached at village Murhaddi Balaki Bandh on 04.02.2025, they saw two persons fleeing away after leaving the motorcycle and bag. On search 19.5 liters of foreign Nepali liquor has been recovered



from the bag. It is alleged that Mahal choukidar disclosed the name of the persons who fled away as the petitioners herein.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case and they have not committed any offence in the manner alleged. He further submits that illicit liquor has not been recovered from the conscious possession and/ or premises belonging to the petitioners. The petitioners are stated to be having clean antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioners are not the owner of the motorcycle as also the fact that illicit liquor has been recovered from the bank of Balan river, which is an open space, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge (Exckse Act), Madhubani in connection with



Babubarhi PS case no. 31 of 2025, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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