

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31929 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- ISUAPUR District- Saran

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1. Ranjay Kumar, son of Shivjee Rai village - Lauva, P. S - Isuapur, District - Saran
 2. Shailendra Kumar @ Shailendra Rai Son of Shivjee Rai village - Lauva, P. S - Isuapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Isuapur P.S. Case No. 43 of 2025, registered on 01.03.2025 for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioners selling foreign liquor from certain place. A raid was conducted at the identified place and two persons fled away from the spot who were identified as petitioners by the Mahal Chowkidar. The petitioners while fleeing away left behind a bag and from the said bag, recovery of 3.060 litre of foreign liquor was made.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No offence as alleged has ever taken place. Recovery of foreign liquor was made from a narrow strip of road and not from the person or possession of the petitioners. Nothing incriminating has been recovered from the conscious possession of the petitioners who have been made accused merely on saying of the Mahal Chowkidar. Petitioner no.1 is having clean antecedent whereas petitioner no.2 is having five criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail. Learned APP submits that petitioner no.2 appears to be habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of petitioner no.1 and further considering the distinct lack of substantive material against the petitioners and also considering the remoteness of allegation and possibility of false implication, let the petitioners, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two



sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran at Chapra/concerned court in connection with Isuapur P.S. Case No. 43 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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