

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34066 of 2025**

Arising Out of PS. Case No.-204 Year-2025 Thana- JAHANABAD District- Jehanabad

1. Chandan Kumar S/O Ashok Yadav R/O Vill.- Kuluachack, P.s.- Sikariya, Dist.- Jahanabad.
2. Mohit Kumar S/O Rabindra Singh R/O Vill.- Mande Bigha, P.s.- Sikariya, Dist.- Jahanabad.
3. Raj Kumar S/O Rajesh Sao R/O Vill.- Mande Bigha, P.s.- Sikariya, Dist.- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kunwar Digvijay Singh  
For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      22-05-2025                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Jehanabad P.S. Case No. 204/2025 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, the informant got secret information that the petitioners had kept illicit liquor for selling in the Khandharnuma vacate house of Devi Dayal Singh. The informant and other police official reached at the place of occurrence and recovered 9 liter foreign liquor from the



motorcycle in question.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. The name of the petitioners have been transpired in this case on the basis of secret information and source of information has not been disclosed in the FIR which questions the authenticity of the prosecution story. The petitioners bear no criminal antecedent. The petitioners are not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioners. The petitioners were not present at the place of occurrence. He further submits that the petitioners are not the owner of the said motorcycle. Seizure list has not been prepared as per law. He further submits that in the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provisions of Bihar Prohibition and Excise Act.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, 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 their 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 the learned Special Judge Excise-II, Jehanabad in connection with Jehanabad P.S. Case No. 204/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

**(Alok Kumar Pandey, J)**

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