

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35379 of 2025**

Arising Out of PS. Case No.-181 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- Rohtas

- 
1. Umesh Chaudhary @ Umesh Kumar S/o Shankar Chaudhary R/O Village- Wajirganj, P.S.- Sasaram (M), Distt.- Rohtas at Sasaram
  2. Govind Kumar @ Govind Chaudhary S/O Lal Mohar Choudhary R/O Village- Wajirganj, P.S.- Sasaram (M), Distt.- Rohtas at Sasaram
  3. Lalesh Chaudhary S/O Sri Lal Mohar Choudhary R/O Village- Wajirganj, P.S.- Sasaram (M), Distt.- Rohtas at Sasaram
  4. Somaru Choudhary @ Bhagwat Singh S/O Sri Lal Mohar Choudhary R/O Village- Wajirganj, P.S.- Sasaram (M), Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| For the Petitioner/s | : | Mr. Deovind Kumar Singh, Advocate |
| For the State        | : | Md. Anzarul Haque Sahara, APP     |

---

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      18-06-2025                      Heard Ld. counsel for the Petitioners and Ld. APP for  
the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Excise P.S. Case No.-181 of 2018, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, police got secret information that petitioners were indulged in illicit liquor business. As per further allegation, total 52.8 litre illicit liquor has been recovered from



the crop standing on agricultural field of someone else.

4. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely and implicated in this case. He further submits that the recovery has been made from open space and the petitioners are no way connected with the alleged offence and no *prima facie* case is made out against the petitioners under the excise act and present anticipatory bail application is maintainable.

5. It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no. 4 has been made accused in three other cases, whereas the petitioner nos. 1 to 3 have no criminal antecedents.

7. However, ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their



furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Excise P.S. Case No. 181 of 2018, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

**(Jitendra Kumar, J.)**

ravishankar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

