

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38856 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- PHULWARIA District- Begusarai

1. Guddu Kumar S/O Nipo Chaudhary R/O Vill.- Shokhara, Ward no. 17, Suiya Factory, P.s.- Phulwariya, Dist.- Begusarai.
2. Vikram Chaudhary @ Vikram Kumar S/O Rakesh Chaudhary R/O Vill.- Shokhara, Ward no. 17, Suiya Factory, P.s.- Phulwariya, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
For the State	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Phulwariya P.S. Case No. 43 of 2025, dated 25.03.2025, registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, the police got secret information that illicit liquor is being carried by the accused persons including the petitioners and after reaching the place of occurrence, the police saw that one person was carrying white colour bag in his hand but other four persons fled away seeing the police and 32 liter illicit liquor was found in the said bag.



4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that petitioners are no way involved in the alleged offence and the whole case is based against them on the basis of suspicion. He further submits that petitioners are not present on the place of occurrence and there is no other material in support of the prosecution case against the petitioners. As such, no offence is made out against the petitioners under the Excise Act and the present anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner No. 1 has two criminal antecedents and petitioner No.2 has one criminal antecedent.

7. However, learned 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 Phulwariya P.S. Case No. 43 of 2025, 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, learned 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, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

ravishankar/-

U		T	
---	--	---	--

