

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37070 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- VAISHALI District- Vaishali

1. Kamleshwar Mahato S/O Chaturi Mahto R/O Village- Nandlalpur, P.S.- Vaishali, District- Vaishali
2. Anil Kumar S/O Chandeshwar Mahto R/O Village- Alahdadpur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2025 Heard Mr. Vasant Vikas, learned counsel for the
petitioners and learned APP.

2. The petitioners apprehend their arrest in connection with Vaishali P.S. Case No. 138 of 2025 dated 17.03.2025 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case on 01.08.2024, the police on getting secret information, that one Sundri Devi was indulged in making and selling liquor at her home, reached there and upon seeing the police party two persons fled away. The police recovered 50 liters of illicit liquor from the straw room situated near the door of the said Sundri Devi. Upon query made



by the police, she also disclosed the name of these two petitioners who had fled away.

4. Learned counsel for the petitioners submits that petitioners have been made accused only on the basis of disclosure of their name by the said Sundri Devi. He further submits that the neither the seized illicit liquor has been recovered from their conscious possession nor from the premises belonging to them and as per seizure list, the liquor has been recovered from the straw room situated near the door of the said Sundri Devi.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession of the petitioners and/or from the premises belonging to them, accordingly, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Prohibition & Excise Court-II-cum-



District & Additional Sessions Judge, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 138 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023.

(Anil Kumar Sinha, J)

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