

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37761 of 2025

Arising Out of PS. Case No.-322 Year-2025 Thana- SASARAM NAGAR District- Rohtas

1. Kalawati Devi Wife of Santosh Ram Resident of Mohalla -Chuna Bhaththa Bauliya Police Station- Sasaram(T) District -Rohtas at Sasaram
2. Santosh Ram son of Late Feku Ram Resident of Mohalla -Chuna Bhaththa Bauliya Police Station- Sasaram(T) District -Rohtas at Sasaram
3. Kiran Kumari Daughter of Ashok Ram @ Santosh Ram Resident of Mohalla -Chuna Bhaththa Bauliya Police Station- Sasaram(T) District -Rohtas at Sasaram
4. Kaushalya Devi @ Kaushila Devi Wife of Late Jogindar Ram Resident of Mohalla -Chuna Bhaththa Bauliya Police Station- Sasaram(T) District -Rohtas at Sasaram
5. Reena Kumari Daughter of late Jogindar Ram Resident of Mohalla -Chuna Bhaththa Bauliya Police Station- Sasaram(T) District -Rohtas at Sasaram
6. Babloo Ram Son of Santosh Ram Resident of Mohalla -Chuna Bhaththa Bauliya Police Station- Sasaram(T) District -Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-06-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 190, 121(2), 121(1), 132, 324(4), 126(2), 115(2), 352, 351(2) of B.N.S. and Section 30(a) of Bihar Prohibition and Excise Act, 2018/2022.



3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of two cases, while petitioner no.2 to 5 are persons with clean antecedent and petitioner no.6 has antecedent of four cases and allegation is of recovery of 50.180 litres of liquor from a hut. It is next submitted that the hut from which the alleged liquor was recovered does not belong to the petitioners. It is further submitted that two accused Amarjeet and Prince were arrested and the informant alleges that while the police force was taking the accused persons to the police station when the accused persons blocked their way and tried to free the accused persons. The learned counsel submits that since the petitioners are resident of nearby place as such they came to be implicated.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial



court where the case is pending/successor court in connection with Sasaram (T) P.S. Case No.322/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of more than two cases and petitioner no.2 to 5 have antecedent of even one case, and petitioner no.6 has antecedent of more than four cases, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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