

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40436 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- CHAORI District- Bhojpur

1. Pankaj Kumar Son of Budhan Singh Resident of Village- Dumariya Police Station- Agiaon, Dist- Bhojpur
2. Shambhu Kumar Son of Lalan singh @ Lalan Yadav Resident of Village- Lasari, Police Station- Agiaon, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41319 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- CHAORI District- Bhojpur

Ram Barat Yadav Son of Ramakant Yadav @ Rama Kant Singh Resident of Village- Lasari Police Station -Agiaon, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40436 of 2025)

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

(In CRIMINAL MISCELLANEOUS No. 41319 of 2025)

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 15-07-2025 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 2, namely, Shambhu Kumar in Cr. Misc. No. 40436 of 2025 has been arrested and, as such, he seeks permission to withdraw this application only against him.

2. In view of the aforesaid submission, prayer for bail



against petitioner Shambhu Kumar is dismissed as withdrawn.

3. Both the criminal miscellaneous applications have arisen out of the same occurrence and as such, both are heard together and are being disposed of by passing this common order.

4. Heard learned counsel for the petitioners and learned APP for the State.

5. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Chauri P.S. Case no. 50 of 2025 instituted for the offence punishable under Sections 30(a), 32(i), 32(2), 36, 41(1), 41(2) of the Bihar Prohibition and Excise Act.

6. As per allegation in the FIR, on getting secret information about transportation on illegal wine by a pick-up van, police party started vehicle checking. In the meantime, police signaled to stop a pick-up van from which four accused persons tried to escape but police caught one accused person, namely, Subodh Kumar Singh, who disclosed the name of the petitioners.

7. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have no concern with the



alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the co-accused, namely, Subodh Kumar Singh, who was arrested on spot. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

8. Learned APP appearing for the State has opposed the prayer of Bail.

9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Chauri P.S. Case no. 50 of 2025, he will be enlarged on 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 learned Exclusive Spl. Excise Court-1st, Bhojpur, Arrah subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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