

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50909 of 2025

Arising Out of PS. Case No.-583 Year-2017 Thana- FATUA District- Patna

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1. Shikandra Kumar @ Sikender Kumar S/o Late Jaglal Singh R/o Village- Bhagwanpur, PS- Fatuha, Distt- Patna
 2. Chhotu Kumar S/o Gore Yadav @ Gauri Yadav R/o Village- Bhagwanpur, PS- Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Fatuha P.S. Case No. 583 of 2017 registered on 22.12.2017 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, total recovery of 10.4 liters country made liquor is the subject matter of the present case.

4. Learned counsel for the petitioners submits that they are innocent and have committed no offence. It is contended that the alleged recovery was not made from their possession but from near a Pipal tree, which is not part of any



property owned by them. Their names have surfaced in the present case solely on the basis of secret information, without any knowledge on their part as to how they came to be implicated. It is further submitted that the petitioners work as labourers outside the State of Bihar and have no connection with the alleged offence. The petitioners are stated to have clean criminal antecedents.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that the antecedent of the petitioners is clean.

6. In the facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Judge, Excise, Patna City, in connection with Fatuha P.S. Case No. 583 of 2017, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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