

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54771 of 2025

Arising Out of PS. Case No.-318 Year-2025 Thana- Excise P.S. District- Nalanda

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1. Shambhu Kumar @ Shambhu Chaudhari S/o Dinesh Chaudhary Vill.- Vishthapit, P.S.- Rajgir, District- Nalanda.
 2. Mohan Kumar @ Mohan Chaudhari S/o Putul Choudhary Vill.- Vishthapit, P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranvijay Singh, Advocate
		Mr. Jitendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-08-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in a case registered under Sections 30(a) and (c) of Bihar Prohibition and Excise Act.

3. On secret information, 65 litres of illicit country made liquor along with utensils used for preparing the illicit liquor have been recovered near the straw hut situated in the right direction of the village-Vishthapit. It is alleged that these petitioners fled away from the spot.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have falsely been implicated in this case only on the basis of false secret information. Further submission is that petitioners were not present on the spot. No incriminating material has been recovered from the conscious possession of the petitioners. The straw hut, from where the alleged recovery has been made, does not belong to the petitioners. Petitioners have no concern with the seized illicit liquor. Petitioner no. 1 has no criminal antecedent. However, petitioner no. 2 has two criminal antecedents in which he is on bail. Petitioners undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court-II, Biharsharif, Nalanda in connection with Excise Case No. 981 of 2025, arising out of Excise P.S. (District-Nalanda) Case No. 318 of 2025, subject to



the conditions as laid down under Section 482(2) of the
B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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