

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53399 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

1. Meena Devi W/o- Sikendra Mehtar @ Sikandar Mehtar R/O- Sahebtola Dalan, P.S- Muffasil, Distt-Katihar
2. Sikandar Mehtar @ Sikendra Mehtar S/o- Kamla Hari R/O- Sahebtola Dalan, P.S- Muffasil, Distt-Katihar
3. Sammer Kumar S/o- Ajay Hari @ Ajay Handi Village- Tola Saheb Mehnadai Kadepura Ps- Muffasil Dist- Katihar
4. Ajay Hari @ Ajay Handi S/o- Raj Kumar Hari Village- Tola Saheb Mehnadai Kadepura Ps- Muffasil Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-08-2025 Learned counsel for the petitioners seeks permission to withdraw the bail application with respect to petitioner no. 4, namely, Ajay Hari @ Ajay Handi granting liberty to the petitioner to surrender before the concerned Court and seeks regular bail.

2. Permission, as prayed for, is granted.

3. Accordingly, the bail application with respect to petitioner no. 4, namely, Ajay Hari @ Ajay Handi is dismissed as withdrawn.

4. Heard learned counsel for the petitioner nos. 1, 2 &



3 and learned A.P.P. for the State.

5. The petitioner nos. 1, 2 & 3 apprehend arrest in a case registered under Section 30(a) of Bihar Prohibition and Excise Act.

6. As per the prosecution case, it is alleged that 400 litres of country made liquor was recovered from the house of petitioner no. 4.

7. Learned counsel for the petitioner nos. 1, 2 & 3 submits that petitioners are innocent and have falsely been implicated in this case being the close relatives of petitioner no. 4. Further submission is that petitioner nos. 1 and 2 are daughter and son-in-law of petitioner no. 4 and petitioner no. 3 is son of petitioner no. 4. Petitioner nos. 1, 2 & 3 are not residing at the house in question from where the huge quantity of illicit liquor was recovered. There is no recovery of any incriminating material from the conscious possession of petitioner nos. 1, 2 & 3. Petitioner nos. 1, 2 & 3 have no criminal antecedent and they undertake to cooperate in the investigation and trial.

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

9. 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 petitioner nos. 1, 2 & 3 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 Exclusive Special Excise Court-II, Katihar in connection with Muffasil P.S. Case No. 134 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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