

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61951 of 2025

Arising Out of PS. Case No.-538 Year-2024 Thana- Excise P.S. District- Sheikhpura

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1. Sujeet Kumar Son of Ramphal Yadav R/o Village - Dullapur, P.S. - Hathiawan, Dist. - Sheikhpura.
 2. Devan Yadav @ Devnandan Kumar Son of Sushil Yadav R/o Village - Dullapur, P.S. - Hathiawan, Dist. - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Sheikhpura Excise Police Station Case No. 538 of 2024, disclosing offences under Sections 30(a) (c) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report in brief is that on 26.12.2024, the informant got secret information that country-made liquor being manufactured in a bush near Karu Singh's field in Dullapur village. On this information, the police party proceeded towards place of occurrence. On seeing the police party, two persons started



fleeing away and succeeded in the same. They were identified by the local people as the petitioners. On search, total 70 liters of country-made liquor were recovered and 400 liters Javagur were destroyed at the place of occurrence.

4. Learned Counsel for the petitioners submit that petitioners are innocent and have not committed any offence in the manner alleged. Learned counsel further submits that the alleged recovery has been made from an open field near the bush. Learned counsel next submits that the name of the petitioners have surfaced in this case on the basis of their identification made by the nearby people. Learned counsel further submits that nothing has been recovered from the conscious physical possession or premises of the petitioners. Petitioners are having no criminal antecedent.

5. Having regard to the submissions made by the parties and taking into consideration the fact that nothing has been recovered from the conscious physical possession or premises of the petitioners and they are having no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise Act), Sheikhpura, in connection with Sheikhpura Excise Police Station Case No. 538 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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