

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61584 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- RS P.S. District- Madhubani

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1. Jagdish Ram S/o Late Kushe Ram R/o Village - Adalpur, P.S - RS Jhanjharpur, District- Madhubani
 2. Shambhu Saday S/o Triloki Saday R/o Village - Adalpur Mushari, P.S - Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Jhanjharpur P.S. Case No. 65 of 2025 registered for the offences punishable under Sections 274/275/3(5) of BNS 2023 and Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, 576 litre Nepali liquor was recovered from the sack in question and local people disclosed the name of petitioners and other who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioner no. 1 bears criminal antecedent of five cases whereas petitioner no. 2 bears criminal antecedent of two cases and petitioners are on bail in all the cases. Nothing has been recovered from the conscious possession of the petitioners. Seizure list has not been prepared as per law. Petitioners have inimical term with the local chowkidar and in collusion with local people the present case was instituted against the petitioners. In the light of aforesaid facts and circumstances, no offence is made out against the petitioners.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Special Judge, Excise Act, Jhanjharpur, District-Madhubani in connection with



Jhanjharpur R.S. P.S. Case No. 65 of 2025, subject to the
conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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