

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63869 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- CHANDI District- Bhojpur

1. Ranjan Kumar @ Tantan @ Charasi S/o Mor Singh R/o Village - Salempur,
P.S - Chandi, District - Bhojpur

2. Niranjan Kumar @ Balcha Kumar S/o Mor Singh R/o Village - Salempur,
P.S - Chandi, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard Mr. Manoj Kumar, learned counsel for the

petitioners and Mr. Rajendra Singh, learned APP for the State.

2. The petitioners are apprehending arrest in connection with Chandi P.S. Case No. 202 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 16.11.2024 by the informant, Satya Narayan Singh.

3. As per the prosecution story, the informant alleged that reached the bank river and there is recovery/seizure of 200 liters of Mahua wine. The local gave the names of these petitioners. This led to the FIR.

4. Learned counsel for the petitioners submit that perusal of the FIR would show that the recovery is from an open place and not from the conscious possession of the petitioners. The petitioners do not have criminal antecedents.



5. Learned APP opposes the prayer stating that the locals named them.

6. Taking into account the aforesaid fact/submissions of the parties as also that nothing has been recovered from their conscious possession rather from an open place, these petitioners do not have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioners have criminal antecedent, the present order shall become infructuous.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Chandi P.S. Case No. 202 of 2024 to the satisfaction of learned Exclusive Special Excise Judge-I, Bhojpur at Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official



document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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