

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86674 of 2024**

Arising Out of PS. Case No.-133 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Madhepura

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1. Gudoo sah S/O Kishore Sah R/O Vill.- Jiwachpur, Ward no.- 7, P.S- Madhepura(Bharrahi),Dist.- Madhubani.
  2. Kishore Sah S/o Late Hariballav Sah R/O Vill.- Jiwachpur, Ward no.- 7, P.S- Madhepura(Bharrahi),Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kr. No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      08-01-2025              Heard learned counsel for the petitioners and Mr. Dilip Kr. No.1, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 45 liters of illicit country made chulai liquor is said to have been recovered from the place of occurrence. No person was apprehended on the spot.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No incriminating article has been



recovered from the conscious physical possession of the petitioners. They have no concern either with the seized liquor or any trade of liquor. They were not apprehended on the spot and local villagers disclosed the name of the petitioners. Petitioners have no criminal antecedent.

5. Petitioners are agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) each in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Excise P.S. Case No.133 of 2020-21 corresponding to Excise Act Case No.611 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

- (i) That one of the bailors will be a close relative of



the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund, Patna.

**(Anjani Kumar Sharan, J)**

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