

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80029 of 2025**

Arising Out of PS. Case No.-148 Year-2020 Thana- FATUA District- Patna

1. Sikandar Yadav @ Sikandar Singh @ Sikandar Gop @ Sikandar Kumar Son of Jaglal Rai @ Late Jaglal Yadav Resident of Village - Bhagwanpur, P.S.- Fatuha, District - Patna.
2. Chhotu Kumar Son of Jhauri Singh @ Jhauri Yadav Resident of Village - Bhagwanpur, P.S.- Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                            |
|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Mr. Jay Ram Prasad         |
| For the Opposite Party/s | : | Mr. Tarkeshwar Nath Thakur |

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      03-12-2025                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Fatuha P.S. Case No.148 of 2020 dated 28.02.2020, registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, during patrolling near the Punpun River, the police observed several persons engaged in the manufacture of liquor. Upon seeing the police, the individuals fled the spot, and the police recovered around 300 liters of country-made liquor along with other materials used for its manufacture.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case merely on the basis of suspicion. No recovery has been made from the constructive possession of the petitioners, and they have no connection with the recovered liquor or other materials. It is further submitted that the petitioners were not apprehended at the spot, and their names have been falsely implicated in the instant case due to enmity. Lastly, it is submitted that the petitioners have two criminal antecedents.

5. Without accepting the guilt, learned counsel for the petitioners proposes to deposit Rs.5,000/- (Rupees Five Thousand) each in the welfare account of the Advocate Association of the Patna High Court.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioners and petitioners are in no way connected with the seized liquor, accordingly, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today 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, Patna City, in connection with Fatuha P.S. Case No.148 of 2020, subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioners.

**(Ajit Kumar, J)**

shikha/-

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