

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83376 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- Hattha District- Muzaffarpur

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1. Mahesh Singh Son of Son of Aklu Singh @ Akul Singh R/o Village - Sundarpur Ratwara, P.S. - Hattha, Dist. - Muzaffarpur.
 2. Sanju Kumar @ Sanjeet Kumar Singh @ Sanju Son of Mahesh Singh R/o Village - Sundarpur Ratwara, P.S. - Hattha, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 24-12-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of two cases and allegation is of recovery of 1.680 litres of liquor from the house of the petitioners.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the house in question is a joint family property, as such, it cannot be alleged



with certainty that it were the petitioners who had kept the liquor in the house or the liquor kept in the house was within their knowledge.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let 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 provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hattha P.S. Case No. 93 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioners and if it is found that petitioners have antecedent of more than two cases, it would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioners have antecedent of only two cases in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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