

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84023 of 2025

Arising Out of PS. Case No.-402 Year-2025 Thana- Excise P.S. District- Rohtas

1. Sumant Chaudhary Son of Ram Bachan Chaudhary, Resident of Village- Jangal Mahal, P.S.- Karagahar, District- Rohtas at Sasaram
2. Anil Ram Son of Chandeshwar Ram @ Bharti Ram, R/O Vill- Pahadi, P.S.- Karagahar, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Advocate
For the State	:	Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-12-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners seek anticipatory bail, apprehending their arrest, in connection with Sasaram Excise P.S. Case No. 402 of 2025 dated 12.10.2025, registered for the offence punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the allegation, some liquid allegedly meant for preparing liquor and empty bottles have been recovered from tent built at village- Babhani Pahari, which is not house of the accused persons. As per further case of the prosecution, the petitioners were fleeing away from the place of recovery, after



seeing the police.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that they have nothing to do with the alleged offence. He further submits that the whole case is based on suspicion and there is nothing legally admissible material on record to connect the petitioners with the alleged offence.

5. As such, there is no *prima facie* case made out against the Petitioners under Excise Act and the Petitioners are entitled to get anticipatory bail.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated paragraph no.3 of the bail petition that the petitioner No.1 has two criminal antecedents and petitioner No.2 has no criminal antecedent.

8. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

9. Considering the fact that no *prima facie* case is made out against the petitioners, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below



within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Sasaram Excise P.S. Case No. 402 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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