

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86500 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- PANDAUL District- Madhubani

1. Md. Akbar S/o Md. Bauna R/o Village- Lohat, Amritganj, PS- Pandaul, District- Madhubani
2. Md. Saddam S/o Md. Majid @ Mo. Majid R/o Lohat, Amritganj, P.s.- Pandaul, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Nitu Kumari Mr.Jitendra Kumar Bharti
For the State	:	Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehended their arrest in connection with Pandaul P.S. Case No. 192 of 2025, F.I.R dated 27.08.2025 registered for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 26.08.2025 at about 9:30 p.m., the informant along with other police personnel proceeded for a raid and, during the course thereof, allegedly received secret information that the co-accused, Lalit Sah, along with his two associates (the petitioners), had kept a huge



quantity of liquor concealed in a bush in front of his house at village Lohat. Acting upon the said information, the police team reached the spot, where, on seeing the police, the three accused persons allegedly fled away and succeeded in escaping. It is further alleged that the local chowkidar identified the persons who fled and disclosed the names of the petitioners. As no independent witnesses were available due to night hours, a search was conducted in the bush in front of the house of co-accused Lalit Sah, from where about 315 litres of foreign liquor of different brands was allegedly recovered. A seizure list was prepared accordingly, leading to institution of the present case.

4. Learned counsel for the petitioners submits that the recovery is said to have made from the bush which is in front of the house of co-accused *Lalit Sah*. The name of the petitioners have transpired on the basis of confessional statement, however, these petitioners have no way connected with the seized articles, both the petitioners have clean antecedents.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 constructive possession and / or



premises belonging to these petitioners and considering the recovery is made from the bush in front of the house, which is no way connected with these petitioners, and both the petitioners have clean antecedents, accordingly, this Court is inclined to grant anticipatory bail to these 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act, Madhubani in connection with Pandaul P.S. Case No. 192 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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