

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17680 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- INARWA District- West Champaran

1. Ram Balak Sah @ Motor Sah @ Motar Sah Son of Late Chokat Sah R/o Vill. - Jhumka, P.S. - Inarwa, Distt. - West Champaran.
2. Dilip Kumar Son of Ram Balak Sah @ Motor Sah @ Motar Sah R/o Vill. - Jhumka, P.S. - Inarwa, Distt. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Inarwa P.S. Case No. 27 of 2026 for the offence punishable under sections 30(a) and 45 of the Bihar Prohibition and Excise Act, lodged on 17.02.2026 by the informant.

3. As per the prosecution case, there has been recovery of 25 litres of illicit liquor from the wheat field which is situated behind the petitioners' house.

4. Learned counsel for the petitioners submits that both these petitioners have been implicated in this case only on the basis of their criminal antecedents though they are in no way connected to the recovery of illicit liquors which have been



recovered from the wheat field which is an open place accessible to all. It has next been submitted that petitioner no.1 has got three criminal antecedent while petitioner no.2 has got one antecedent and they are on bail on the said cases.

5. Learned APP opposes the prayer for anticipatory bail by submitting that since both the petitioners have got criminal antecedents, they do not deserve the privilege of anticipatory bail.

6. Considering the nature of allegation and the recovery having been made from the wheat field which is an open place accessible to all, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ***Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s)



who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no (iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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