

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48235 of 2026

Arising Out of PS. Case No.-55 Year-2026 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. Shyam Narayan Ram S/O Late Ram Lagan Ram Resident of village- Ramgarh, P.S- Bhagwanpur, District - Kaimur at Bhabua
 2. Ratani Devi W/O Shyam Narayan Ram Resident of village- Ramgarh, P.S- Bhagwanpur, District - Kaimur at Bhabua
 3. Vinod Ram @ Nirahu S/O Shyam Narayan Ram Resident of village- Ramgarh, P.S- Bhagwanpur, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bhagwanpur P.S. Case No. 55 of 2026, F.I.R dated 10.03.2026 registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 10.03.2026 around 04:00 P.M. after receiving secret information during patrolling, informant Vandana Kumari (A.S.I.) along with other police personnel conducted a raid near the house of Shyam Narayan



Ram. On seeing the police, Shyam Narayan Ram, his wife, and his son Vinod Ram allegedly fled away taking advantage of darkness. During the search, the police recovered and seized 6 litres of illicit Mahua liquor from the agricultural field of Pyare Sah situated near the accused's house, and accordingly the F.I.R.

4. Learned counsel for the petitioners at the outset submits that during the pendency of the instant anticipatory bail petition, petitioner No. 03 has already been arrested and seeks permission to withdraw the anticipatory bail application in respect of the petitioner No. 03.

5. Permission is granted.

6. Learned counsel for the petitioners, in respect of the anticipatory bail application for petitioner Nos. 01 & 02, submits that the recovery of illicit liquor, which is said to have been made from an open place and the said field belongs to one Pyare Sah, who is neither the family member of these petitioners nor in any way connected with them, still for ulterior reasons, these petitioners have been implicated in this case. It has next been submitted that the petitioner No. 01 has three criminal antecedents, and in all three cases, he is on bail, whereas, petitioner no. 02 has no criminal antecedent.

7. Learned APP for the State opposes the prayer for



anticipatory bail application in respect of the petitioner Nos. 01 & 02.

8. Considering the fact that the recovery of illicit liquor which is said to have been made from an open field, which is accessible to general public and that the said place of recovery is in no way connected with these petitioners and nothing incriminating has been said to be recovered from their consecutive possession, accordingly, this Court is inclined to grant anticipatory bail to the petitioner Nos. 01 & 02.

9. Let the petitioners, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Ex. Court No. - II, Kamur at Bhabua in connection with the aforesaid P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no 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 their bail bonds.

(Ajit Kumar, J)

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