

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4412 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- CHEWARA District- Sheikhpura

1. Motichand Bind S/O Late Gopichand Bind R/O Vill.- Koshokhar, P.S - Chewara, Dist.- Sheikhpura
2. Vinod Bind @ Vinod Kumar S/O Lalchand Bind R/O Vill.- Koshokhar, P.S - Chewara, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Chewara PS Case No. 80 of 2024 instituted for the offences under Sections 274, 275 of B.N.S. and 30(a), 30(d) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 40. 25 litres of country made liquor, 2 gas cylinders, 2 pipes and several utensil was recovered from bushes in bamboo orchard.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted that recovery is made from an open place, which is accessible to one and all. It is further submitted that local chowkidar disclosed the name of the petitioners. The petitioners are in custody since 25.11.2024 The petitioner no. 1 has three criminal antecedents and petitioner no. 2 has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chewara PS Case No. 80 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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