

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5984 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- MAHINDWARA District- Sitamarhi

Ramnath Rai Son of Niteshwar Rai @ Nitee Rai @ Ratneshwar Ray@Ray
village- Kowahi, Ps- Mahindwara, dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-03-2025 1. Heard the parties.

2. Petitioner seeks regular bail in connection with Mahindwara P.S. Case No. 127 of 2024 dt. 07.09.2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amended).

3. The prosecution case as per the first information report is that on 07.09.2024 the Police upon secret information that the petitioner and other accused persons having kept liquor in a hut situated in the mango orchard of one Keshaw Singh, reached at the place of occurrence. Upon seeing the Police party, three persons started fleeing away and succeeded in the same. Upon search, a total quantity of 177.48 liters of illicit liquor has been recovered and seized from the hut.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has not committed any offence in the manner alleged. The name of the petitioner has transpired on the basis of disclosure made by the Mahal Chaukidar. He next submits that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner but the same has been recovered from a hut in the mango orchard of Keshaw Singh which is an open space accessible to all and sundry. Similarly situated co-accused / Bhola Thakur @ Bhola Kumar has been granted anticipatory bail by this court vide order dated 29.01.2025 in Cr. Misc. No. 3697 of 2025. The petitioner is in custody since 21.10.2024.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that illicit liquor has not been recovered from conscious possession and / or premises belonging to the petitioner and the same has been recovered from a hut situated in the mango orchard which is an open space easily accessible to everyone, similarly situated co-accused has been granted anticipatory bail by this court and the petitioner is in custody since 21.10.2024, as such, I am inclined to grant regular bail to the petitioner.

6. Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000 /- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Exclusive Excise Court-I, Sitamarhi in connection with
Mahindwara P.S. Case No. 127 of 2024.

(Anil Kumar Sinha, J)

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