

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6704 of 2025**

Arising Out of PS. Case No.-400 Year-2024 Thana- JOKIHAT District- Araria

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1. Junaid S/o- Lunus Village- Kanaki Muslim Para Devganj Majlishpur, P.S.- Chikliya, District- Uttar Dinajpur, State- West Bengal.
  2. Golden Maldar S/o- Late Kalicharan Maldar Village- Kanaki Muslim Para Devganj Majlishpur, P.S.- Chikliya, District- Uttar Dinajpur, State- West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Sinha, Adv.

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      12-02-2025                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

2. The petitioners seek bail in connection with  
  
Jokihat P.S. Case No. 400 of 2024 instituted for the offences  
  
under Section 30(a) of the Bihar Prohibition and Excise Act,  
  
2016.

3. As per prosecution case, the police has recovered  
  
total 497.880 liters of illicit foreign liquor from the truck. The  
  
petitioners were arrested on the spot.

4. Learned counsel for the petitioners submits that  
  
the petitioners are innocent and have committed no offence



as alleged against them and have falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery of illicit liquor or the truck, in question. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 23.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, 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 Jokihat P.S.  
Case No. 400 of 2024.

(Rudra Prakash Mishra, J)

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