

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9766 of 2025

Arising Out of PS. Case No.-268 Year-2024 Thana- EXCISE SHERGHATI District- Gaya

1. Lalita Devi W/o- Sugdev Chaudhary @ Sukhdev Chaudhary Village- Jhajh Ps- Dhangai Dist- Gaya
 2. Gita Devi W/o- Naresh Chaudhary Village- Jhajh Ps- Dhangai Dist- Gaya
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar, Advocate

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

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Utpad Thana @ Excise (Sherghati) PS Case No. 268 of 2024 instituted for the offences under Sections 30(a) and 32(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50 litres of country made liquor was recovered from the house of the petitioner and 200 kg semi prepared liquor was destroyed at spot.

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 the joint house of the petitioners. The petitioners are in custody since 31.12.2024 and has got 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, clean antecedent of the petitioners and the period of custody undergone by the petitioners, 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Utpad Thana @ Excise (Sherghati) PS Case No. 268 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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