

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14017 of 2025

Arising Out of PS. Case No.-304 Year-2023 Thana- PATAHI District- East Champaran

Rakesh Sah S/O Late Yadolal Sah @ Mahadev Sah Resident of Gonahi, ward
No.05, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 16543 of 2025

Arising Out of PS. Case No.-304 Year-2023 Thana- PATAHI District- East Champaran

Mintu Raut @ Mintu Kumar Son of Naresh Raut Resident of Gonahi, P.S. -
Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14017 of 2025)

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 16543 of 2025)

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 14-05-2025 Both the cases have been taken up together as they
arise out of the same P.S. case.

2. At the outset, learned counsel for the petitioner
seeks permission to withdraw the application on behalf of the
petitioner Mintu Raut in Cr. Misc. No. 16543 of 2025 as the
petitioner has been arrested and the same has become
infructuous.

3. The Permission is accorded and the said application



is dismissed as withdrawn.

Re : Cr. Misc. No. 14017 of 2025

Heard learned Counsel for the petitioner and Mr. Ram Priya Sharan Singh, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the recovery is of 36 liters of Nepali Sofi Wine from a white sack which was thrown on the road.

4. Learned counsel for the petitioner submits that his name has surfaced in this case on account of disclosure made by the local chowkidar and the local villagers. There is no recovery from the physical and conscious possession of the petitioner as the place of recovery is an open space which is accessible to all. Further, there is no independent witness to the said seizure list and the petitioner has no criminal antecedent.

5. The application is opposed by the learned APP for the State.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or



surrender before the Court below within four weeks, 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 learned Exclusive Special Excise Court No. 3, East Champaran, Motihari, in connection with Patahi P.S. Case No. 304 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

Raj Ranjan/-

U		T	
---	--	---	--

