

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18196 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BIHTA District- Patna

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1. Bhera Rai Son of Late Shivji Rai Resident of Pathhlautiya, P.S - Bihta, District - Patna
 2. Ravi Kumar Son of Late Jagarnath Rai Resident of Pathhlautiya, P.S - Bihta, District - Patna
 3. Tiwari Rai @ Ganesh Rai Son of Dinanath Rai Resident of Pathhlautiya, P.S - Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

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

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Bihta P.S. Case No. 06 of 2025 registered for the offences
punishable under Sections 30(a), 32 and 40 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 800
litres of country made liquor was recovered from seven kiln
(Bhatti) near the bank of river and 500 litres of liquor was
destroyed at the spot.

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



alleged against him and has falsely been implicated in the present case. Petitioners have no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioners. It is submitted that recovery is made from an open place which is accessible to one and all. It is further submitted that apprehended co-accused person disclosed the name of the petitioners. The petitioners have no criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 27.02.2025 passed in Cr. Misc. Nos. 13140 of 2025 and 13024 of 2025 respectively.

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. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bihta P.S.



Case No. 06 of 2025, subject to the conditions as laid down
under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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