

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20547 of 2025

Arising Out of PS. Case No.-777 Year-2024 Thana- MAJHAULIA District- West Champaran

1. Naga Manjhi S/O Late Mukhlal Manjhi Resident of Village- Auhwar Khudir, Ward No.- 11, Mushari Tola, P.S- Majhauriya, Distt.- West Champaran.
2. Dhrup Manjhi S/O Late Mukhlal Manjhi Resident of Village- Auhwar Khudir, Ward No.- 11, Mushari Tola, P.S- Majhauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Preeti Kumari, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Majhauriya P.S. Case No. 777 of 2024, registered for the offences punishable under Section 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2022.

3. The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 122 litres of IMFL/country made liquor from the open field.

4. Considering the submission and perusal of record, it appears that illicit liquor recovered from an open field, denying *prima facie* recovery of illicit liquor from conscious physical



possession of petitioners. Petitioners said to be men of clean antecedents.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of petitioners, accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Bettiah, West Champaran/concerned Court, where the case is pending in connection with Majhauriya P.S. Case No. 777 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

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

