

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23200 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- HATHAURI District- Muzaffarpur

Subodh Kumar, aged about 24 years (Male), S/o Parmeshwar Das @
Prameshwar Baitha, Resident of Vill.- Berai, Ward No. 8, P.S.- Hathauri,
District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raju Kumar, Advocate

For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 14-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Hathauri P.S. Case No. 32 of 2025 dated 18.02.2025 registered
for the offences punishable under Sections 274, 275 of the
B.N.S. 2023, Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022 and Sections 25(1-B)(a) and 26 of the
Arms Act.

3. As per the prosecution case, police apprehended the
petitioner and two country made katta was recovered from his
possession and total 33.750 litres of foreign liquor was
recovered from his house

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no arms was recovered from the possession of the petitioner but the police took his signature on a plain paper and later on converted into a seizure list. It is further alleged that the seized illegal foreign liquor was recovered from the joint house of the petitioner where other family members also used to reside. The petitioner has no concern with the alleged seized liquor. There is no statutory compliance under Section 103 of the B.N.S.S., 2023. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-III, Muzaffarpur in connection with Hathauri P.S. Case No. 32 of 2025 with further condition:-

(I) The petitioner is directed to remain



physically present before the learned court
below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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