

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20860 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- RAHIKA District- Madhubani

Md. Khurshid @ Chunnu Son of Late Safiur Rahman @ Munna R/o village -
Near Rahika Patrol Pump @ Rahika Patrol Pump Chowk, P.S.- Rahika, Dist.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 07-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rahika P.S. case No. 21
of 2025 instituted for the offences under Sections 329(3), 274,
275, 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 475.73
liters liquor was recovered from different places in the Udyog
Bhawan.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to dirty village politics. No incriminating
material has been recovered from the conscious possession of



the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The name of the petitioner has transpired on the basis of disclosure made by local chowkidar. The petitioner is not indulged in the business of dealing in liquor. The petitioner is in custody since 17.03.2025 and has got nine criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 28.03.2025 passed in Cr. Misc. No. 13407 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that the petitioner has nine criminal antecedents and he does not deserve privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Rahika P.S. case No. 21 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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