

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23750 of 2025**

Arising Out of PS. Case No.-380 Year-2024 Thana- NARDIGANJ District- Nawada

1. Bittu Kumar @ Bittu Manjhi @ Bittu Chaudhari Son of Marshal Chaudhary Resident of Village- Ichua Karna, P.S.- Nardiganj, District- Nawada
2. Vikash Chaudhary @ Vikash Kumar @ Hathi Son of Late Baudhu Chaudhary Resident of Village- Ichua Karna, P.S.- Nardiganj, District- Nawada
3. Chinta Devi W/O Late Baudhu Chaudhary Resident of Village- Ichua Karna, P.S.- Nardiganj, District- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate  
For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

2      05-05-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a)(d) of Bihar Prohibition and Excise Act, 2016.

3. The case of the prosecution in brief is that on the basis of secret information, during search total 45 liters of country made *mahua* wine was recovered from the Ichua village near Payeen.

4. The learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case based on the confessional statement of *Chowkidar* which has no evidentiary value. It is further submitted that



petitioners antecedent are absolutely clean and hence they deserve to be given the privilege of anticipatory bail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the fact that recovery of *mahua* wine has not been made from the conscious physical possession of the petitioners and also given the fact that the names of the petitioners were implicated on the basis of statement of local *Chowkidar* which has no evidentiary value and further that the petitioners are persons with clean antecedent, the petitioners in the event of their arrest or surrender within four weeks from today, let the petitioners, as named above, be enlarged on bail on 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 Court, Excise-2, Nawada in connection with Nardiganj P.S. Case No. 380 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 .

**(Alok Kumar Sinha, J)**

Gaurav Sinha/-

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