

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28296 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- DIGHWARA District- Saran

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Awadhesh Rai S/o- Chulhan Rai Village -Basatpur Ps- Dighwara Dist- Saran
at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Ms.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Dighwara Police Station Case No. 371 of 2024, dated 17.10.2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, that the petitioner and his mother are selling illicit liquor from his hut, reached at the place of occurrence and on seeing the police, two persons fled away, who were identified by the Chowkidar as the petitioner and co-accused Basmati



Devi. On search, the police recovered 180 litres of illicit liquor from a hut, situated outside the house of the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that no illicit liquor has been recovered from his conscious possession and/or from the premises belonging to the petitioner; rather the illicit liquor has been recovered from a hut situated outside the house of the petitioner, which is an open space and is accessible to all and sundry. He next submits that the petitioner is in custody since 18.02.2025.
5. Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 18.02.2025, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Saran, at Chapra, in connection with Dighwara Police Station Case



No. 371 of 2024.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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