

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26044 of 2025

Arising Out of PS. Case No.-169 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Sanjay Chaudhari @ Sanjay Kumar Chaudhary Son of Late Tahal chaudhari @ Tahal Chaudhari @ Mahadev Chaudhari @ Mahadev Mahto Resident of Village -Madhubani Ghat PS -Muffasil District -East Champaran
 2. Gyatri Devi @ Gayatri Devi Wife of Mahadev Chaudhary @ Mahadev Mahto @ Late Tahal Chaudhari @ Tahal Chaudhri Resident of Village -Madhubani Ghat PS -Muffasil District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Opposite Party/s : Mrs.Shaheen Begum, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Muffasil P.S. case
No. 169 of 2024 instituted for the offences under Sections
272, 273 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 10 liters
liquor was recovered from the house of the petitioners.

4. Learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been



implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the name of the petitioners have transpired on the basis of disclosure made by local people. It is also submitted that the recovery is made from the joint house of the petitioners where other family members also reside and the time of raid, no family members was present at the house. The petitioners are in custody since 29.12.2024. Petitioner No. 1 has got no criminal antecedent whereas petitioner No. 2 has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each



with two sureties of the like amount each to the satisfaction
of Court below/concerned Court in connection with
Muffasil P.S. case No. 169 of 2024.

(Rudra Prakash Mishra, J)

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