

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31815 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- EXCISE MADHUBAN District- East Champaran

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1. Munna Kumar S/o- Baldeo Sah Village- Ghasi Pakad Ghasipakar Ward No-04 PS- Chakiya Distt- East Champaran
 2. Sanjay Kumar S/o- Baldeo Sah Village- Ghasi Pakad Ghasipakar Ward No-04 PS- Chakiya Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khushi Awadh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Excise Madhuban P.S. case No. 46 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 43.2 liters liquor was recovered from jute sack and cartoons kept in husk.

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 recovery is made from a husk situated besides the road and is an open place easily accessible to general public. The petitioners are not indulged in selling or purchasing of liquor. The petitioners are in custody since 10.03.2025 and have got no 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, clean antecedent 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 Excise Madhuban P.S. case No. 46 of 2025.

(Rudra Prakash Mishra, J)

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