

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45622 of 2025

Arising Out of PS. Case No.-58 Year-2023 Thana- CHANAN District- Lakhisarai

Shobhi Koda S/o Bhuneshwar Koda R/o Village- Gopalpur Gobardaha, P.S.-
Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Irshad, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 17-07-2025 Heard learned counsel for the petitioner and Mr.s

Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with

Chanan P.S. Case No. 58 of 2023 instituted for the offences

under Sections 30(a)(b)(c) of the Bihar Prohibition and Excise

Act and Sections 2(E)/3/5/13 of the Bihar Excise Mahua

Flowers Rule, 2006.

3. As per prosecution case, the police has recovered

total 70 liters of illicit country-made liquor out of which 60

liters were recovered from brewery center. It is further

alleged that 7000 liters of Jawa Mahua was destroyed at the

spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. The name of the petitioner has been surfaced in this case on the basis of the disclosures made by the local Choukidar. The petitioner is not the owner of the alleged place of occurrence. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedent and is languishing in judicial custody since 27.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail 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 Chanan P.S. Case No. 58 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

