

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48424 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- KOTWA District- East Champaran

1. Kunal Kumar S/o Chandeshwar Singh R/o Vill- Kotwa Ward No. 6, P.S.- Kotwa, Distt- East Champaran
2. Kundan Kumar S/o Chandeshwar Singh R/o Vill- Kotwa Ward No. 6, P.S.- Kotwa, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kotwa PS Case No. 171 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 total 9.140 litres of foreign liquor was recovered out of which 7.490 litres of liquor was recovered from the shop of the petitioner.

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



submitted that recovery is made from the roadside behind the shop of the petitioners which is an open place and accessible to one and all. The petitioners are in custody since 10.05.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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 of the petitioners 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 Kotwa PS Case No. 171 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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