

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50981 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

1. Jhandu Kumar S/o Arjun Chauhan R/o Vill- Purnadih, P.S.- Muffasil, Distt- Nawada
2. Gulabi Devi @ Gulab Devi W/o Arjun Chauhan R/o Vill- Purnadih, P.S.- Muffasil, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with

Muffasil P.S. Case No. 254 of 2025 instituted for the

offences under Section 30(a) of the Bihar Prohibition and

Excise Act.

3. As per prosecution case, the police has recovered

total 100 liters of illicit country-made liquor from the house of

the petitioners. Both the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that

the petitioners are innocent and have committed no offence



as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners further submits that as a matter of fact, the alleged recovery of illicit liquor has been made from the open place outside the house of the petitioners which is accessible to one and all and the petitioners have no concern with the seized liquor. The petitioners have 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 petitioners have no criminal antecedent and are languishing in judicial custody since 18.06.2025 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 petitioners.

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



petitioners and the petitioners having no criminal antecedent,
let the petitioners, abovenamed, 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. 254 of 2025.

(Rudra Prakash Mishra, J)

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