

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57197 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- MAJHAULIA District- West Champaran

Chuman Patel @ Chuman Raut S/O Late Motilal Patel @ Late Motilal Raut
R/O Vill.- Karamwa Dewan chowk, P.S.- Majhauriya, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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

ORAL ORDER

5 13-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Majhauriya PS Case No. 295 of 2025 instituted for the offences
under Section/s 30(a), 30(c), 33, 34 & 41(1) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 200 liters
spirit was recovered from the bank of a river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 29.05.2025 and has got fifteen criminal antecedent/s, out of which he is acquitted in eight cases. There is no compliance of Section 103 of the BNSS, 2023. It is lastly submitted that charge in this case is also framed.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhauriya PS Case No. 295 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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