

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55180 of 2025

Arising Out of PS. Case No.-271 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Anil Kumar Son of Prabhu Mahato village- Karamwa Ward No.6 P.S.- Majhauliya District- West champaran
2. Anil Kumar Prabhu Mahato Karamwa Ward No.6 P.S. Majhauliya 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. Ajay Kumar Jha, APP

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

ORAL ORDER

2 14-08-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with Majhauliya PS Case No. 271 of 2025 instituted for the offences under Sections 30(a), 30(c), 33, 34 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 300 litres of country made liquor was recovered from the bank of river.

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 an open place, which is accessible to one and all. It is further submitted that the name of the petitioners have transpired on secret information. The petitioners are in custody since 11.06.2025 and have got four criminal antecedents. 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 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.15,000/- (Rupees Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhauilya PS Case No. 271 of 2025, subject to the following conditions:



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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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