

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54850 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- Excise Benipatti District- Madhubani

Chanchal Sada S/o Santosh Sada Resident of village - Bituhar , Ward no. 09,
P.S.- Harlakhi, Dist -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Adv.

For the Opposite Party/s : Ms.Anita Kumari, APP

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

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Benipatti Excise P.S. Case No. 104 of 2025 instituted for the offences under Section Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 90 liters of illicit liquor from the motorcycle.

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 ulterior motive. 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 no criminal antecedent and is languishing in judicial custody since 30.06.2025 without any rhyme 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 and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Benipatti Excise P.S. Case No. 104 of 2025.

(Rudra Prakash Mishra, J)

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