

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54654 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- Bikramganj Excise District- Rohtas

Malti Devi W/o Jhunnilal Sah R/o Village - Thakurai Parasiyan, P.S -
Nasriganj, District – Rohtas Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, 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 Excise Case No. 506 of 2025, arising out of Bikramganj Excise P.S. case No. 162 of 2025, instituted for the offences under Sections 30(a) and 62 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 30 liters liquor was recovered from an under constructed house of the petitioner. Further, the police also seized 400 kg jawa mahua which got destroyed at the spot.

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



further submitted that the place of recovery is an under constructed house belonging to joint family of the petitioner and the same is also an open place accessible to one and all. The petitioner is in custody since 09.07.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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, clean antecedent 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 Excise Case No. 506 of 2025, arising out of Bikramganj Excise P.S. case No. 162 of 2025.

(Rudra Prakash Mishra, J)

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