

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58735 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- BHANGHA District- West Champaran

Saheb Miyan @ Saheb Dewan S/o Manjur Dewan @ Manjur Alam R/o
Village- Pidari, P.S.- Inarwa, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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

ORAL ORDER

2 21-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bhangaha P.S. case No.
40 of 2025 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 412 liters
liquor was recovered from jute sac besides 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 further
submitted that recovery is made besides a river, an open place



accessible to one and all. The petitioner is in custody since 01.07.2025 and has got one criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S., 2023. He further submits that the co-accused Ashutosh Diswa has already been granted bail by this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 43277 of 2025.

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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhangaha P.S. case No. 40 of 2025.

(Rudra Prakash Mishra, J)

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