

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56540 of 2025

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

Anil Kumar S/O Prabhu Mahato R/O Village- Karamwa, Award No. 6, 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, Adv

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered under Sections 30(a), 30(c), 33, 34, 41(1) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information that a consignment of spirit was ordered by liquor dealers namely, Chuman Patel and Anil Kumar (petitioner), a raid was conducted and 300 litres of country made liquor was recovered from the bushes near river in front of maize field of Murari for which separate FIR had been lodged. Further, during search 200 liters of spirit was also recovered from different pits for which the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was neither apprehended on the spot nor



any thing 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 made from an open place, which is accessible to public at large. The petitioner surrendered before the Court below himself and he is in custody since 02.06.2025. The charge-sheet has already been submitted and there is no chance of tampering with the evidence or absconding of petitioner. The petitioner has four criminal antecedents. The petitioner undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise II, Bettiah, West Champarn in connection with Majhauiliya P.S. Case No. 295/2025.

(Sunil Dutta Mishra, J)

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