

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57749 of 2025

Arising Out of PS. Case No.-249 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Deo Nath Prasad @ Deo Nath Prasad Bin Son of Late Baldeo Prasad Bin Resident of Village - Mirjumla, P.S. -Bhagwanpur Hat, Dist. - Siwan.
2. Pradeep Kumar Son of Sri Bhagwan Prasad Resident of Village - Mirjumla, P.S. -Bhagwanpur Hat, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners seek regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, on getting secret
information police party reached at the marked place and
recovered 347.250 litre country made liquor. It is alleged that
four accused persons including the petitioners were arrested on
the spot while trying to flee away from there.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case on the basis of suspicion. He further submits that



petitioners have no concern with the alleged seized liquor and no incriminating article has been recovered from their conscious possession. Learned counsel submits that the alleged recovery has been made from the bush near the Mirjumala bridge and petitioners have no concern with the said place. He further submits that petitioners were passing through the way and due to suspicion they were arrested. Learned counsel submits that similarly situated co-accused, namely, Chandrika Bin, has been granted regular bail by this Court *vide* order dated 11.09.2025 passed in Cr. Misc. No.57415 of 2025. He further submits that petitioners are in custody since 10.06.2025, petitioner no.1 has four criminal antecedents of similar nature, in which he is on bail and petitioner no.2 has got clean antecedent. Learned counsel submits that there is no likelihood of absconding the petitioners or tampering with the evidence and they undertake to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Bhagwanpur Hat P.S. Case No.249 of 2025.

(Sunil Dutta Mishra, J)

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