

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60953 of 2025

Arising Out of PS. Case No.-467 Year-2023 Thana- CHIRAIYA District- East Champaran

Patwari Rai @ Patwari Ray S/O Saryug Rai @ Saryu Rai Resident of Village-
Mohaddipur, P.S- Chiraiya, Distt.- East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Prasad, Advocate

For the Opposite Party/s : Mrs.Renuka Ratnakar(App125)

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

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Chiraiya P.S. case No.
467 of 2023 instituted for the offences under Sections 272, 273
of Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 20 liters liquor
was recovered from bamboo orchard.

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 name of the petitioner has transpired on the basis of disclosure made by local chowkidar. The recovery is made from orchard, an open place accessible to one and all. The petitioner is in custody since 03.07.2025 and has got five criminal antecedents in which he is on bail in four cases. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted bail by this Bench vide order dated 02.04.2024 passed in Cr. Misc. No. 24316 of 2024.

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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chiraiya P.S. case No. 467 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

