

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59833 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- RAJAOLI District- Nawada

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1. Bachni Devi @ Budhani Devi, W/o- Dhaneshwar Singh, resident of Village- Budhiya Shakh, P.S.- Rajauli, Dist- Nawada
 2. Ramdhari Singh, S/o- Garib Narayan Singh Garignarayan Singh, resident of Village- Budhiya Shakh, P.S.- Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Shankar Kumar, Advocate.
For the State : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Rajauli P.S. Case No. 159 of 2025 dated 26.03.2025, registered for the offences punishable under Sections 30(a), 30(d) and 41 of the Bihar Prohibition and Excise Act.

3. As per allegation, 15 litres of illicit country made liquor and 1000 litres of *Mahua* Jawa as well as some utensils meant for manufacturing the liquor was recovered from forest area and as per further case of the prosecution, it was the petitioners who were involved in the illegal manufacturing, sale



and purchase of the illicit liquor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that recovery of contraband and the utensils have been made from an open space accessible to public at large and the entire case of the prosecution is based on suspicion and there is no cogent material to connect the petitioner to the alleged offence. He also submits that no *prima facie* case is made out against the petitioner and hence, the present petition is maintainable and the petitioners deserve to be enlarged on anticipatory bail.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph No.3 of the petition that the petitioners have clean antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned court below, in connection with Rajauli P.S. Case No. 159 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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