

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71622 of 2025

Arising Out of PS. Case No.-366 Year-2025 Thana- TURKAULIYA District- East
Champaran

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1. Rahul Kumar S/o Late Rajesh Chaudhary R/o Village - Jhakhiya, P.S -
Banjaria, District - East Champaran at Motihari
 2. Raushan Kumar S/o Late Rajesh Chaudhary R/o Village - Jhakhiya, P.S -
Banjaria, District - East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Turkauliya P.S. Case No. 366 of 2025 for the offences registered
under Sections 30(a), 41(1) of the Bihar Prohibition & Excise
Act.

3. There is recovery of 25.09 litre illicit liquor from the
shop of Petitioners. Petitioners were apprehended on the spot.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case. It is submitted that recovery has been made from an open
place. There is no independent witness of the seizure-list.
Petitioner No. 1 has two criminal antecedents in which he is on
bail and Petitioner No. 2 has no criminal antecedent. Petitioners



are in custody since 27.07.2025. Charge-sheet has already been submitted in this case. Petitioners undertake to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioners.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioners, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1, Civil Court East Champaran at Motihari in connection with Turkauliya P.S. Case No. 366 of 2025, subject to following conditions:

- (I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.
- (II) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on failure on two consecutive dates without sufficient reason, the trial Court may cancel the bail of the petitioners.

(Sunil Dutta Mishra, J.)

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