

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72417 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- JAMOBABAZAR District- Siwan

Dudh Nath Rawat Son of Gaharbharan Rawat R/o Makhuaa, P.S. - Jamo
Bazar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Jamo Bazar P.S. Case No. 378 of 2024 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, from the straw hut of the petitioner, recovery of 04 liters of country made *mahua* liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner is not the owner of the hut from where the recovery has been shown and moreover,



the hut is an open hut and is accessible to all. The petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 28.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet and also considering the recovery of small quantity of liquor, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Siwan in connection with Jamo Bazar P.S. Case No. 378 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates



or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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