

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76368 of 2025

Arising Out of PS. Case No.-529 Year-2025 Thana- CHHATAUNI District- East Champaran

1. Kalawati Devi W/o- Rajendra Paswan Resident of village- Bara Bariyarpur, Ps- Chhatauni Dist- East Champaran
2. Rani Devi W/o- Manoj Paswan Resident of village- Bara Bariyarpur, Ps- Chhatauni Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv
Mr. Harsha Shaswat, Adv
For the Opposite Party/s : Mr. Meena Singh, APP

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

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Chhatauni P.S. Case No. 529 of 2025, instituted for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 50 liters of country made liquor was recovered from Rickshaw and both the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted that petitioners are neither the owner nor the driver of the seized vehicle. It is further submitted that petitioners were sitting as a passenger in the seized vehicle and they had no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 06.09.2025 and have got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chhatauni P.S. Case No. 529 of 2025.

(Rudra Prakash Mishra, J)

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