

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82314 of 2025**

Arising Out of PS. Case No.-337 Year-2025 Thana- MASHRAK District- Saran

Prabhawati Devi W/O Santa NUt R/O Vill.- Bahuraa,P.S-Mashrakh,Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                         |
|----------------------------|---|-------------------------|
| For the Petitioner/s       | : | Mr. Narendra Kumar, Adv |
|                            |   | Mr. Akash Ambuj, Adv    |
|                            |   | Ms. Anushka Kumari, Adv |
| For the Opposite Party/s : |   | Mr. Arun Kumar, APP     |

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

ORAL ORDER

2      02-12-2025                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Mashrakh P.S. Case No. 337 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2 liters of country made liquor was recovered from Haysack which was in front of the house of the petitioner.

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. Learned counsel for the petitioner submits that the recovery is made from an open place, which is accessible to one and all. It is also submitted that petitioner's name has transpired only on the basis of suspicion. The petitioner is in custody since 24.09.2025 and has got six criminal antecedents. 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 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mashrakh P.S. Case No. 337 of 2025, 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)**

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