

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80978 of 2025

Arising Out of PS. Case No.-406 Year-2025 Thana- TURKAULIYA District- East
Champaran

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1. Mazid Mian S/o Late Ish Mohammad @ Late Isha Miya Resident of Village- ShambhuTola, P.S.- Turkaulia, District- East Champaran
 2. Rafique Mian Son of Late Ish Mohammad @ Late Isha Miyan Resident of Village- ShambhuTola, P.S.- Turkaulia, District- East Champaran
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Turkaulia P.S. Case No. 406 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 124 liters liquor was recovered from bush and the petitioners were apprehended 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. Learned



counsel for the petitioners also submits that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioners are in custody since 23.08.2025. Petitioner no. 1 has got one criminal antecedent in which he is on bail and petitioner no. 2 has got no criminal 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 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 Turkaulia P.S. Case No. 406 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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