

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83020 of 2025

Arising Out of PS. Case No.-265 Year-2025 Thana- SATHI District- West Champaran

1. Domai Mahto S/O Late Sri Mahto Resident of Village- Gulab Nagar, Dhangad Toli, P.S- Sathi, Distt.- West Champaran.
2. Ramani Devi @ Ramai Devi D/O Late Sri Mahto Resident of Village- Gulab Nagar, Dhangad Toli, P.S- Sathi, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Sathi PS. Case No. 265 of 2025 dated 12-10-2025, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 274 and 275 of the Bhartiya Nyaya Sanhita.

3.The allegation is of recovery of 105 *litres* of illicit
country-made liquor from a shed constructed of asbestos,
situated in front of the petitioners' house.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in



the present case. It is further submitted that this false case has been hatched against the petitioners at the instance of their enemy, in collusion with the police. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioners or from their house; rather, the seized illicit liquor was recovered from a shed constructed of asbestos, situated in front of the petitioners' house. The petitioners were not apprehended at the spot and only on the basis of suspicion they have been arrayed as accused in the instant case. The petitioners have no concern with the alleged recovery of country made wine. Lastly, it is submitted that both petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-II, Bettiah, West Champaran in Sathi PS. Case No. 265 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik



Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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