

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85625 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- PARWALPUR District- Nalanda

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1. Ravish Kumar, aged about 21 years, Male, Son of Uday Prasad.
 2. Rakesh Kumar, aged about 22 years, Male, Son of Sanjay Prasad.
Both are Resident of Village - Milkipar, P.S. - Parvalpur, District - Nalanda.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ambrish Kumar, Advocate Mr. Mukul Kumar, Advocate Mr. Anunay Shahi, Advocate
For the Opposite Party/s :		Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Parwalpur P.S. Case No. 180 of 2025 instituted for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, upon search total 30 liters of country made liquor, one Indane Gas Cylinder, One aluminum Tasla (pan) and one iron gas stove with pipe were recovered from open place (pan).

4. Learned counsel for the petitioners submits that petitioners are innocent have committed no offence and have falsely been implicated in this case merely on the basis of



suspicion. He submits that petitioners were neither present at the place of occurrence nor any incriminating articles have been recovered from the conscious possession of the petitioners. He next submits that the name of the petitioners have been implicated in the present case only on the basis of local Chowkidar and spy but there is no any independent witness of the seizure list. He lastly submits that witnesses were police personnel and the name of the petitioners have been implicated in the present case due to enmity with co-villagers. Petitioners have got clean antecedent as stated in para 3 of the petition.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Special Judge Excise Court, Hilsa, Nalanda dated 14.11.2025, it appears that on the basis of written report of the informant namely Sandeep Kumar, FIR has been registered under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Amendment Act, 2022 against four co-accused persons including the present petitioners. It also appears that total 30 liters of illicit country made liquor has been recovered from the open land (pan) and petitioners are not arrested at the spot. There is no any independent witnesses of seizure list and



petitioners have got clean antecedent as stated in para 3 of the petition, so considering all these aspects of the case and submission of learned counsel for the petitioners, I am inclined to grant bail to the petitioners.

7. Accordingly, let these petitioners above named in the event of their arrest or surrender before the Court below within six weeks from today, be released on anticipatory 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 Special Judge Excise Court/concerned Court, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 180 of 2025, subject to the conditions laid down in Section 482(2) of the BNSS, 2023.

(Ramesh Chand Malviya, J)

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