

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1427 of 2025

Arising Out of PS. Case No.-253 Year-2024 Thana- PATAHI District- East Champaran

1. Subodh Das, son of Moti Das Resident of village- Jihuli, Tinahiya Tola P.S. Patahi, District- East Champaran.
2. Raj Kumar Das Son of Moti Das Resident of village- Jihuli, Tinahiya Tola P.S. Patahi, District- East Champaran.
3. Manish Kumar Son of Rajkumar Das, Resident of village- Jihuli, Tinahiya Tola P.S. Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in F.I.R. and

apprehending their arrest in connection with Patahi P.S. Case

No. 253 of 2024, registered for the offences punishable under

Section 30(a) of the Bihar Prohibition and Excise

(Amendment) Act, 2022.

3. The allegation against the petitioners is to be

engaged in illegal trading/manufacturing of illicit liquor,



where, there is recovery of 87.600 litres of IMFL/Nepali liquor from the alleged two motorcycles.

4. Learned counsel appearing on behalf of the petitioners submitted that the name of petitioners transpired in this case on the basis of disclosure made by apprehended co-accused persons and admittedly the alleged illicit liquor not appears to be recovered from physical possession of these petitioners. While concluding the argument, it is submitted that petitioners found involved in two more criminal cases, where they are on bail.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances as recovery of alleged illicit liquor not appears made *prima facie* from conscious physical possession of these petitioners, accordingly, all above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive



Special Excise Court No. 03, East Champaran at
Motihari/concerned Court, where the case is pending in
connection with Patahi P.S. Case No. 253 of 2024, subject to
the conditions as laid down under Section 438(2) of the
Cr.P.C./482(2) of BNSS.

(Chandra Shekhar Jha, J)

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