

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4012 of 2025

Arising Out of PS. Case No.-738 Year-2024 Thana- GARKHA District- Saran

1. Dinesh Rai Son of Late Chandrika Rai Resident of Village- Tahaltola, P.S.- Garkha, District- Saran
2. Jitendra Ram Son of Krishna Ram Resident of Village- Jigana, P.S.- Garkha, District- Saran
3. Nandu Manjhi Son of Ram Lal Manjhi Resident of Village- Jigana, P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Garkha PS Case No. 738 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 105 litres of country made liquor along with 50 kg of molasses and 500 litres pass (fermented liquor) was recovered from the pond of Ram Awadh Rai.

4. Learned counsel for the petitioners submit 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. It is submitted that recovery is made from an open place, which is accessible to one and all. The petitioners are in custody since 03.12.2024. Petitioner no. 1 has two criminal antecedents and petitioner no. 2 and 3 has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha PS Case No. 738 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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